

A COLLECTION  
OF ALL THE  
**STATUTES**  
at Large, now in Force.

Beginning in the Sixteenth Year of the Raigh of our late  
Soveraign LORD

**King Charles I.** Anno 1640.

And ending in the Nineteenth Year of the Raigh of our now  
Soveraign LORD

**King Charles II.** Anno 1667.

With the **TITLES** of such as are Expired, and Repealed.

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In Two Parts.

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Together with  
Notes in the Margent, and **TABLES** of the several Sessions of **PARLIAMENTS**; And of the **TITLES** of all the **STATUTES** both  
Publick and Private.

*And an Alphabetical TABLE of the Matters contained in the whole Book.*



In the *SAVOT*:

Printed by the Assigns of *John Bill* and *Christopher Barker*, Printers to the  
Kings most Excellent Majesty, MDC LX VII.



COLLECTION

OF ALL THE

STATUTES

AND ORDINANCES

IN FORCE IN THE

STATE OF NEW YORK

FOR THE YEAR

1850

ALBANY

1850

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A  
**T A B L E**  
 OF THE  
**S T A T U T E S**  
 Contained in the First Part of this  
**B O O K.**

*Publique Acts of Parliament in the 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup> Years of the  
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Anno 17.

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An Act for Naturalizing Peter de la Pierre, alias Peters, and John de la Pierre, alias Peters.	An Act for restoring unto Morough alias Morgan, Earl of Inchequin, all his Honors, Manors, Lands, and Tenements in Ireland, whereof he was in possession the Three and Twentieth of October, One thousand six

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- fix hundred forty one, or at any time since.
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- An Act for restoring of *Sir George Lane, Kt.* to the possession of the Manors of *Ratheline* and *Lisduff*, and other Lands in *Ireland*.
- An Act for restoring to *Charles Lord Gerrard Baron of Brandon*, all his Honors, Manors, Lands, Tenements, and Hereditaments, whereof he was in possession on the Twentieth day of *May*, One thousand six hundred forty two, or at any time thence.
- An Act for restoring to *Thomas Lord Culpepper*, Son and Heir, and sole Executor of *John Lord Culpepper*, Baron of *Thorsway*, and Master of the Rolls, deceased, all the Honors, Mannors, Lands, and Tenements, Leases not determined, and Hereditaments whatsoever, whereof the said *John Lord Culpepper* was in possession on the Twentieth day of *May*, One thousand six hundred forty and two, or at any time after, which have not been since sold or alienated by the said *John*, late Lord *Culpepper*, by Acts or Assurances to which himself was party and consenting.
- An Act for restoring of the Marquess of *Hertford* to the Dukedom of *Somerset*.
- An Act for enabling *Augustine Skinner*, and *William Skinner*, to make Sale of some Lands for payment of Debts.
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- For Naturalizing of *Gerrard Van he thusen*, *Daniel Demetrius*, and others.
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— For raising Portions, and making provision for maintenance for the younger Children of Sir *Edward Gostwicke*.

— For Confirming the Sale of the Manor of *Hitcham*, sold to *Charles Doe* by Sir *John Clarke* Knight and Baronet, and for settling and disposing other the Lands of

the said Sir *John Clarke*, and Dame *Philadelphia* his Wife.

— For the settling of some of the Manors and Lands of the Earl of *Cleveland* in Trustees, to be sold for the satisfying of the Debts of the said Earl, and of *Thomas Lord Wentworth* his Son.

— For the Disappropriating of the Rectory appropriate of *Preston*, and uniting and consolidating of the said Rectory and of the Vicaridge of the Church of *Preston*, and for assuring of the Advowson and Right of Patronage of the same unto the Master, Fellows and Scholars of *Emanuel Colledge* in *Cambridge*, and their Successors.

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- An Act for restoring of *Thomas Radcliffe* Esq; to all his Lands and Possessions in *England* and *Ireland*.
- An Act enabling *John Harbin* Esq; to settle, sell, and dispose of several Mannors, Messuages, Lands, Tenements, and Hereditaments, with the Appurtenances in the County of *Somerset* and *Dorset*, therein mentioned, for payment of his debts, and to make provision for his younger children.
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- An Act for settling the Mannors of *Knoll*, *Seale* and *Kemping*, in the County of *Kent*, upon the Earl of *Dorset*, and his Heirs, and charging the Mannor of *Bexhil*, and the Mannor or Farm of *Cowding*, and other Lands in the County of *Suffex*, with a Rent-charge of One hundred and thirty pounds per Annum in lieu thereof.
- An Act for confirmation of the Charter and Priviledges of the Master, Wardens, and Commonalty of Weavers, Fullers, and Clothiers in the City of *Worcester*.
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- An Act for confirmation and explanation of an Act for the settling of some of the Mannors, and Lands of the Earl of *Cleveland* in Trustees, to be sold for the satisfying of the Debts of the said Earl and *Thomas Lord Wentworth* his Son.
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- An Act for the Naturalizing of *Francis Brudenell* Esq; Son and Heir apparent of the Right Honorable *Robert* Lord *Brudenell*, and of the Right Honorable *Anna Maria*, Countess of *Shrewsbury*, Daughter of the said Lord *Brudenell*, and now Wife of the Right Honorable *Francis* Earl of *Shrewsbury*.
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continued to the 19<sup>th</sup> of May, 14 Caroli Regis. And thence  
Prorogued to the 18<sup>th</sup> of February then next following.*

- A**N Act for ſetting of the Eſtate of *James*  
late Duke of *Richmond* and *Lenos*, ac-  
cording to agreement of *Charles* Duke of  
*Richmond* and *Lenos*, *Mary* Dutcheſs Dowager  
of *Richmond* and *Lenos*, and the Lady  
*Mary* her daughter, and the Truſtees of  
the ſaid Lady Dutcheſs.
- An Act for confirmation of certain Letters  
Patents made, and to be made to the Right  
Noble Lord, *George* Duke of *Albemarle* of  
ſeveral Honors, Manors and Heredita-  
ments, granted, or mentioned to be gran-  
ted to him by his Majeſty.
- An Act for confirming the Eſtate of *John* Mar-  
queſs of *Wincheſter* in certain Manors and  
Lands, whereof the Deeds and Evidences  
were burnt and loſt at the taking of the  
Caſtle of *Bazing*.
- An Act to confirm the ſale of certain Lands  
ſold by *Ferdinando* late Earl of *Huntington*,  
for the payment of his own and his Fathers  
debts.
- An Act for ſetting a Capital Meſſuage or  
Manſion-houſe, with the appurtenances, in  
*Kenſington* in the County of *Middleſex*,  
upon *Baptiſt* Viſcount *Campden*, and his  
Heirs.
- An Act for confirming an Act for reſtoring  
to *Thomas* Lord *Culpepper*, Son and Heir,  
and ſole Executor of *John* Lord *Culpepper*  
Baron of *Thorſway*, and Maſter of the  
Rolls, deceased, all his Honors, Manors,
- Lands and Tenements, Leaſes not de-  
termined, and Hereditaments whatſoe-  
ver, whereof the ſaid *John* Lord *Culpep-  
per* was in poſſeſſion on the Twentieth of  
*May*, 1642. or at any time after, which  
have not been ſince ſold or aliened by  
the ſaid *John* late Lord *Culpepper*, by Acts  
or Aſſurances to which himſelf was party  
and conſenting.
- An Act to enable the Biſhop of *London* to  
Leaſe out the Tenements now built upon  
the Scite of his Palace in *London*.
- An Act for the Naturalizing of *Philadelphia*  
Wife of the Right Honorable *Thomas* Lord  
*Wentworth*.
- An Act for confirming ſeveral Acts therein  
mentioned.
- An Act for confirming of two Acts therein  
mentioned.
- An Act for the Endowment of ſeveral  
Churches by the Lord Viſcount *Scudamore*  
of *Sligo* in the Realm of *Ireland*.
- An Act for the diſuniting the Hundreds  
of *Dudſton* and *Kings Barton* from the  
County of the City of *Glouceſter*, and re-  
ſtoring them to be part of the County of  
*Glouceſter*.
- An Act for making Navigable of the Rivers  
of *Stower* and *Salwerp*, and the Ri-  
vulets and Brooks running into the  
ſame, in the Counties of *Worceſter* and  
*Stafford*.

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## The TABLE.

- An Act for the making Navigable of the Rivers of *Wye* and *Lugg*, and the Rivers and Brooks running into the same, in the Counties of *Hertford*, *Gloucester*, and *Monmouth*.
- An Act for settling certain Manors and Lands late of Sir *James Enyons* Baronet, on Sir *Henry Puckering*, alias *Newton* Baronet, and Sir *Charles Aderley* Knight, his surviving Trustees, to sell for payment of Debts.
- An Act for confirmation of certain Decrees of Sewers, made by the Commissioners for the limits of the Level of the River of *Ancholn* in the County of *Lincoln*.
- An Act for confirming a Decree made on the behalf of *Thomas Derham* Esquire, and the Improvements, Exchanges and Allotments therein mentioned.
- An Act for the enabling Sir *Thomas Lee* Baronet, to exchange some Lands settled upon the Marriage of Dame *Anne Lee* his now Wife, in consideration of another Settlement of Lands of equal value in lieu thereof.
- An Act for discharging the Manors of *Stodcomb* and *Holwell*, and other Lands in the County of *Devon*, from the trust of one hundred and fifty years, made unto *John* Earl of *Exeter*, *John* Earl of *Bridgwater*, and *Oliver* Earl of *Bolingbrook*.
- An Act for supplying a supposed defect of the words, *Stand and be Seized*, in a Deed for settling of divers Manors and Lands on Sir *Henry Frederick Thynne*.
- An Act for the confirming the Copy-hold Estates of divers of his Majesties Copy-hold Tenants within the Honor of *Clitheroe* in the County Palatine of *Lancaster*, parcel of the Dutchy of *Lancaster*, according unto several Decrees in the Court of Dutchy Chamber of the said County Palatine.
- An Act for confirmation of the Estates of several Tenants and Copy-holders of the Manors of *Rannes*, *Ircheſter*, *Rushden*, and several other Manors, parcels of the Dutchy of *Lancaster*.
- An Act for confirming, explaining, and enlarging an Act, Entituled, *An Act for the levying of certain moneys due upon the Collection for the Protestants of Piedmont*.
- An Act to enable the sale of some of the Lands of *William Milward* Esquire, for payment of some of his Debts.
- An Act vesting certain Lands in *Bleasby* in Sir *John Mounſon* the younger, *Robert Thorold* Esquire, and *Anthony Eyre* the elder Esq; and their heirs, to sell for payment of the Debts of Sir *Robert Dalison*, and *William Dalison*.
- An Act to enable the Trustees of *Henry Nevil* Esq; to sell certain Manors, Lands and Tenements in the Counties of *York* and *Leicester*, for payment of his and his son *William Nevils* Debts, and likewise to confirm and strengthen the sale of such Lands as they have already sold in the County of *York*.
- An Act for the making void certain Fines unduly procured to be levied by Sir *Edward Powell* Knight and Baronet, and Dame *Mary* his Wife.
- An Act for sale of Sir *Robert Slinsby* deceased his Lands, for payment of his debts.
- An Act to enable Sir *Anthony Brown* to sell Lands for payment of debts.
- An Act to enable *Anthony Etrick* to sell Lands for payment of his debts.
- An Act for the Naturalizing of *Anna Ferrers*, and several other persons named therein.
- An Act for the Naturalizing of *Mark Le Pla* and others.
- An Act for the repairing of *Bengworth*-bridge in the County of *Worcester*.
- An Act to enable *Rowland Okeover* Esq; to sell certain Lands in the County of *Derby*.
- An Act to enable Mrs *Clemence Rivers* and Mrs *Rose Rivers* to sell certain Lands and houses for payment of the debts of *Edward Rivers* Esq; deceased, and provision for his younger Children.
- An Act to enable *Thomas Peck* Esq; to sell a Manor and some Lands in the County of *Norfolk*, for the payment of his debts, and other uses.
- An Act for confirmation of agreements made between *Thomas Buſſel* Esq; and the Miners of *Rowpits* in *Somerſetſhire*, for recovering their drowned and deserted works.
- An Act for the settling certain Lands belonging unto *Francis Tindall* Gent. upon Trustees to be sold for the payment of debts.
- An Act for confirmation of the three Acts therein mentioned.



A  
**T A B L E**  
O F T H E  
**S T A T U T E S**  
C O N T A I N E D

In the Second Part of this  
**B O O K.**

*A T A B L E of B I L L S Passed both Houses of Parliament the  
3<sup>d</sup> of June, and 27<sup>th</sup> of July, 1663. at the then Prorogation  
thereof to the 16<sup>th</sup> of March then next following ; Anno 15.  
Caroli Regis Secundi, 1663.*

*Publique Acts passed 3<sup>d</sup> of June, 1663.*

**A**N Act for Repairing of the High-ways  
within the Counties of Hertford, Cam-  
bridge and Huntingdon. pag. 1  
An Act for the punishment of unlawful

cutting or stealing, or spoiling of Wood  
and Under-wood, and destroyers of  
young Timber-Trees. pag. 9

*Publique Acts Passed 27<sup>th</sup> of July, 1663. Anno 15.*

**A**N Act to explain and supply a former  
Act for distribution of Threescore  
thousand pounds amongst the truly Loyal  
and Indigent Commission-Officers, and for  
assessing of Offices, and distributing the  
moneys thereby raised, for their further  
supply. pag. 12  
An additional Act for the better Ordering  
the Forces in the several Counties of this  
Kingdom 13  
An Act for Regulating Select Vestries. 18  
An Act for relief of such persons, as by Sick-  
ness, or other Impediment were disabled

from subscribing the Declaration in the  
Act of Uniformity, and Explanation of  
part of the said Act. pag. 19  
An Act for the Encouragement of Trade. 21  
An Act for preventing the selling of live fat  
Cattel by Butchers. 26  
An Act for granting four intire Subsidies  
to his Majesty by the Temporality. 27  
An Act for Confirming four Subsidies, gran-  
ted by the Clergy. ib.  
An additional Act for the better Ordering  
and Collecting the Duty of Excise, and  
pre-

## The TABLE.

preventing the abuses therein. pag. 27	York, and the Heirs Males of his body. 38
An Explanatory Act for recoverie of Arrears of Excise. 34	An Act for encouraging the Manufactures of making Linnen Cloth and Tapistry. p.42
An Additional Act for the better Ordering and Collecting the Revenue arising by Hearth-Money. 35	An Act for regulating the Herring, and other Fisheries. And for Repeal of the Act concerning Madder. 43
An Act for settling the Profits of the Post-Office, and power of granting Wine-Licences, on his Royal Highness the Duke of	An Act for settling the Draining of the great Level of the Fens, called <i>Bedford Level</i> . 44

### Private Acts passed 3<sup>d</sup> of June, 1663. Anno 15.

AN Act to enable <i>Edward Marquess of Worcester</i> to receive the benefit and profit of a Water-commanding Engine by him invented, one Tenth part whereof is appropriated for the benefit of the Kings Majesty, his Heirs and Successors.	An Act to enable <i>Sir John Packington</i> and his Trustees to sel, or otherwise dispose of certain Lands for the payment of his debts, & raising Portions for his younger children.
An Act for settling an Annuity of Three hundred pounds <i>per annum</i> upon <i>Charles Earl of Portland</i> , and for the benefit of <i>Willoughby Whitelock</i> , <i>Bulstrode Whitelock</i> , and <i>Charleton Whitelock</i> , Infants, and for confirming of Agreements made to compose Suits in Law against them.	An Act to enable <i>Edward Chaloner</i> Esquire, to make provision for <i>Anne</i> his Wife, and his younger Children.
An Act for settling the charitable Gift of <i>John Guest</i> .	An Act for the Naturalizing of <i>Charlotte Hefsen Killegrew</i> , and others.
	An Act to Impower <i>Sir John Drake</i> and others to make sale of Lands for payment of the Portion of <i>Ellen Brisco</i> Widow.
	An Act to enable the sale of the Lands of <i>Richard Senior</i> , and <i>Anthony Senior</i> deceased, for payment of some of their debts.

### Private Acts passed 27<sup>th</sup> of July, 1663.

An Act for the settling of the Lands of the E. of <i>Kent</i> and the Lord <i>Lucas</i> , on the Marriage of the said Earl with the Daughter and Heir apparent of the Lord <i>Lucas</i> .	An Act for the Governing of the Hospital of Saint <i>Oswalds</i> in the County of <i>Worcester</i> .
An Act for the settling of a Free-School in <i>Witney</i> in the County of <i>Oxon</i> , being erected and endowed by <i>Henry Box</i> Citizen and Grocer of <i>London</i> , deceased.	An Act to enable <i>Sir Francis Boynton</i> Baronet, and <i>Richard Robinson</i> Esq; to sell certain Lands of <i>John Robinson</i> Esq; for payment of debts, and Leasing of other Lands for making provision for his younger children.
An Act to enable the Bishop of <i>Winchester</i> to Lease out the Tenements now built upon scite of his Mansion-House in the Parish of Saint <i>Saviours</i> in <i>Southmark</i> in the County of <i>Surrey</i> ; and the two Parks, and other Demesns at <i>Bishops Waltham</i> , and other Lands in the County of <i>Southampton</i> .	An Act for making void certain conveyances made by <i>Caryll L. Molleneux</i> in the late times.
An Act for repairing and better preserving the Key of the Port of <i>Wells</i> in the County of <i>Norfolk</i> .	An Act to confirm a Deed made by <i>Charles Pitcarne</i> Esquire.
	An Act for the Naturalization of Dame <i>Elizabeth Jacob</i> , and others.
	An Act for the Naturalizing of <i>George Willoughby</i> and others.
	An Act for confirming an Act for Naturalizing of <i>Peter de la Pierre</i> , alias <i>Peters</i> , and <i>John de la Pierre</i> , alias <i>Peters</i> .

A TABLE of BILLS passed both Houses of Parliament the 5<sup>th</sup> of June, and 17<sup>th</sup> of May, 1664. at the then Prorogation thereof, Anno 16 Caroli Regis II. 1664.

### Publick Acts.

AN Act for the assembling and holding of Parliaments once in Three years at the least; And for the Repeal of an Act,	Entituled, <i>An Act for the preventing of Inconveniences happening by the long Intermision of Parliament.</i> pag. 69
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An Act for preventing of abatements of Writs of Errour upon Judgments in the Exchequer. pag. 66  
 — For collecting the Duty arising by Hearth-money, by Officers to be appointed by his Majesty. 66  
 — To prevent and suppress Seditious Conventicles. 67, 68, 69, 70  
 — To prevent the disturbances of Sea-men

and others; And to preserve the Stores belonging to his Majesties Navy-Royal. Exp. pag. 75  
 — To prevent the delivering up of Merchants Ships. ib.  
 An Act against deceitful, disorderly, and excessive Gaming. 78  
 — For continuance of a former Act for Regulating the Press. 79

### Private Acts.

**A**N Act for Vacating certain conveyances made by Sir John Packington Baronet, to Christopher Henn and others.  
 — For the sale of the Mannor of Ingoldesby, and divers Lands in Ingoldesby in the County of Lincoln, for raising Portions for the two Daughters and Co-heirs of Sir William Armin the younger Baronet, deceased.  
 — For the sale of certain Lands for payment of the debts of Sir Sackville Glemham.  
 — To enable Trustees for Sir William Keyte to sell Lands for the payment of debts.  
 — For confirmation of the Inclosure and Improvement of Malverne Chase.  
 — For settling the Charitable Gift of Abra-

ham Colfe Clerk, for Erecting and Endowing Two Free-Schools, and an Almshouse at Levisham in Kent.  
 — For Naturalizing Dame Katharine Sayer and others.  
 — To enable Francis Cottington, or Charles Cottington to settle and dispose of Lands in Joynture for any Wife or Wives they shall take in marriage.  
 — To enable Charles Cotton Esq; to make Leases of Lands for payment of debts.  
 — For the making of the Church erected at Falmouth, a Parish-Church, and no part of the Parish of Gluvias, or Chapelry of Saint Budock.

*A TABLE of BILLS passed both Houses of Parliament the 9<sup>th</sup> of Febr. and 2<sup>d</sup> of March, 1644. at the then Prorogation thereof, Anno 16 & 17 Caroli II. Regis.*

### Publick Acts.

**A**N Act for granting a Royal Aid unto the Kings Majesty, of Twenty four hundred threescore and seventeen thousand and five hundred pounds, to be raised, levyed and paid in the space of Three years. p. 80  
 An Act for regulating the Measures and Prices of Coals. 91  
 An Act for the returning of able and sufficient Jurors. 92  
 An additional Act for the better ordering and collecting the Duty of Excise. 94  
 An Act to prevent delays in extending Statutes, Judgments and Recognizances. 95  
 An Act for repealing of part of an Act of Parliament, intituled, *An Act directing the prosecu-*

*tion of such as are accountable for Prize goods.* ib.  
 An Act for continuance of a former Act for regulating the Press. p. 98  
 An Act to prevent Arrests of Judgment, and Superfeding Executions. ib.  
 An Act to empower the Chancellour of the Dutchy to grant Commissions for taking Affidavits within the Dutchy-Liberty. 99  
 An Act for continuance of a former Act for repairing the High-waies within the County of Hertford. 100  
 An Act for draining of the Fenn, called *Deeping-Fenn*, and other Fenns therein mentioned. 102

### Private Acts.

**A**N Act to enable Sir Edward Hungerford Knight of the Bath, to sell certain Lands in the County of Devon.  
 An Act for the enabling of Trustees to sell part of the estate of Samuel Sandys the elder, Esq; and of his son Samuel Sandys, for payment of debts.

An Act for confirming a Deed of Settlement between the Earl of Thanet and his younger brothers.  
 An Act to enable the Bishop of Winchester to convey One hundred Acres of Land, lying in the great disparked Park of Bishops-Waltham in the Parish of Bishops-Waltham in

## The TABLE.

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| <p>in the County of <i>Southampton</i>, upon the Rectory of the said Parish Church of <i>Bishops-Waltham</i>, and his Successors, in lieu of all Tythes and payments for Tythes due to the said Rectory and his Successors for <i>Waltham Parks</i>.</p> <p>An Act to enable the Lord <i>Henry Powlet</i>, <i>George Withers</i> and <i>John Mompejon</i>, to sell the Mannor of <i>Abbots-Anne</i> in the County of <i>Southampton</i>.</p> <p>An Act to enable <i>Henry Lord Loughborough</i>, to make the River and Sewer Navigable from or near <i>Bristow Cawsey</i> in the County of <i>Surrey</i>, into the River of <i>Thames</i>.</p> <p>An Act to enable Trustees for the <i>L. Strangford</i>, to sell Lands for payment of debts.</p> <p>An Act for restoring of <i>Sir Charles Stanley</i> in blood.</p> <p>An Act for the settling of several Mannors, Lands and Tenements of <i>Sir Jacob Astley</i>, lying in the Counties of <i>Norfolk</i> and <i>Warwick</i>.</p> <p>An Act for settling the Estate of <i>Sir Robert Carr</i> Baronet.</p> <p>An Act for making the River <i>Avon</i> Naviga-</p> | <p>ble from <i>Christ Church</i> to the City of <i>New-Sarum</i>.</p> <p>An Act for making the River of <i>Medway</i> Navigable in the Counties of <i>Kent</i> and <i>Sussex</i>.</p> <p>An Act for making divers Rivers Navigable, or otherwise passable, for Boats, Barges, and other Vessels.</p> <p>An Act for settling of differences between the Towns of great and little <i>Tarmouth</i>, touching the lading &amp; unlading of Herrings, and other Merchandizes and Commodities.</p> <p>An Act for the Naturalizing of <i>Dederic</i> alias <i>Richard Comes</i>, and others.</p> <p>An Act for confirming of an Act, Intituled, <i>An Act to enable Joseph Micklethwaite an Infant, and his Trustees, to sell Land for payment of his Fathers Debts</i>.</p> <p>An Act for the enabling of <i>Thomas Jucker</i> of <i>Treliddan</i> in the County of <i>Montgomery</i> Esq; to sell Lands for the payment of his debts, and raising of younger childrens portions.</p> <p>An Act to enable <i>Francis Lee</i> Esquire, to sell Lands for payment of Debts, and to make provision for his children.</p> |
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*Acts passed the Royal Assent on the last of November, 1665. at Oxford.*

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| <p><b>A</b>N Act for granting the sum of Twelve hundred and fifty thousand pounds to the Kings Majesty, for his present further Supply. <span style="float: right;">pag. 116</span></p> <p>An Act for restraining Non-Conformists from inhabiting in Corporations. <span style="float: right;">122</span></p> <p>An Act for Uniting Churches in Cities and Towns Corporate. <span style="float: right;">124</span></p> <p>An Act for continuance of a former Act for Regulating the Presb. <span style="float: right;">126</span></p> <p>An Act for Attainting <i>Thomas Dolman</i>, <i>Joseph</i></p> | <p><i>Bampfild</i>, and <i>Thomas Scott</i> of High Treason, if they render not themselves by a day <span style="float: right;">pag. 127</span></p> <p>An Act for taking away of <i>Damage Clear</i>. <span style="float: right;">128</span></p> <p>An Act for a more speedy and effectual proceeding upon Distresses and Avowries for Rents. <span style="float: right;">129</span></p> <p>An Act for avoiding unnecessary Suits and Delays. <span style="float: right;">130</span></p> <p>An Act for granting One moneths Assesment to His Majesty. <span style="float: right;">131</span></p> |
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### A Private Act.

An Act for the Naturalization of *Lewis Blanquesfort*, and others.

*Acts Passed on the 18<sup>th</sup> of January, 1666. In the Eighteenth Year of King Charles the Second, and on the 8<sup>th</sup> of Febr. 1665. in the Nineteenth Year of King Charles the Second, in the Session of Parliament begun the 18<sup>th</sup> of Sept. 1666. and ending the 8<sup>th</sup> of February following.*

### Publick Acts Passed January the 18<sup>th</sup>, Anno 18.

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| <p><b>A</b>N Act for raising Moneys by a Poll, and otherwise, towards the Maintenance of the present War. <span style="float: right;">pag. 135</span></p> <p>An Act against Importing Cattel from <i>Ireland</i>, and other parts beyond the Seas; and Fish taken by Forreigners. <span style="float: right;">152</span></p> | <p>An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of <i>England</i>. <span style="float: right;">pag. 153</span></p> <p>An Act for burying in Woollen only. <span style="float: right;">154</span></p> <p>An Act for encouraging of Coyuage. <span style="float: right;">155</span></p> |
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## The TABLE.

### Private Acts.

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| <p><b>A</b>N Act for enlarging the time given by a former Act for Redemption of Mortgages made by the Earl of <i>Cleveland</i>.</p> <p>An Act for Naturalizing of <i>Isabella</i> of <i>Nassau</i>, Wife of the Right Honorable the Lord <i>Arlington</i>, one of his Majesties Principal Secretaries of State.</p> | <p>An Act for supply of part of the Joynture of the Lady <i>Elizabeth Noell</i>.</p> <p>An Act for settling the Estate of <i>John Bodvell</i> Esquire, deceased.</p> <p>An Additional Act for enabling the sale of Lands to pay the Lord <i>Strangford's</i> debts.</p> |
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### Publick Acts Passed Febr. 8. Anno 19.

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| <p><b>A</b>N Act Explanatory of the Act for raising moneys by a Poll, and otherwise, towards the Maintenance of this present War. <span style="float: right;">pag. 158</span></p> <p>An Act for Erecting a Judicature for determination of differences touching Houses burned or demolished by reason of the late Fire which happened in <i>London</i>. <span style="float: right;">159</span></p> <p>An Act for rebuilding the City of <i>London</i>. <span style="float: right;">161</span></p> <p>An Act for relief of poor Prisoners, and setting of them on work. <span style="float: right;">175</span></p> <p>An Act extending a former Act concerning <i>Replevins</i> and <i>Avowries</i>, to the Principality</p> | <p>of <i>Wales</i> and the County Palatines. <span style="float: right;">p. 177</span></p> <p>An Act for Redress of Inconveniencies by want of proof of the Deceases of Persons beyond the Seas, or absenting themselves, upon whose Lives Estates do depend. <i>ib.</i></p> <p>An Act to prevent the disturbances of Sea-men and others, and to preserve the Stores belonging to his Majesties Navy Royal. <span style="float: right;">179</span></p> <p>An Act for granting the sum of Twelve hundred fifty six thousand three hundred forty seven pounds, thirteen shillings, to the Kings Majesty, towards the Maintenance of the present War. <span style="float: right;">180</span></p> |
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### Private Acts.

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| <p><b>A</b>N Act for Naturalizing of <i>Hester le Lou</i>, the Daughter and Co-heir of <i>Gideon le Lou</i>, Lord of <i>Coliumbers</i> in <i>Normandy</i>, the now Wife of the Right Honorable <i>Denzill Lord Hollis</i> of <i>Ifield</i>.</p> <p>An Act for confirming, explaining, and enlarging an Act, Entituled, <i>An Act to enable John Lord Abergavenny, Son and Heir of Henry late Lord Abergavenny, to sell certain Lands for payment of his Debts, and Preferment of his Brother and Sisters</i>.</p> <p>An Act for the Illegitimation of the children of the Lady <i>Anne Roos</i>.</p> <p>An Act for sale of a Messuage in <i>Chiswick</i>, for payment of the debts of <i>Edward Russel</i> Esq;</p> <p>An Act for confirmation of a Settlement of the Estate of Sir <i>Seymour Shirley</i> Baronet.</p> <p>An Act for settling the Moyety of the Manor of <i>Iron Acton</i> on Sir <i>John Pointz</i>.</p> <p>An Act for Settling an Estate in Trust for the</p> | <p>benefit of Mistress <i>Elizabeth Pride</i> and her Children.</p> <p>An Act for the ascertaining the Bounds of the several Rectories of <i>Swaffham St. Ciriac</i>, &amp; of <i>Swaffham St. Maries</i> within the Town of <i>Swaffham Prior</i>, in the County of <i>Cambridge</i>, &amp; for the Uniting of the 2 Churches there.</p> <p>An Act for the Restoring of <i>Francis Scawen</i> Gent. in Bloud.</p> <p>An Act for Naturalizing Dame <i>Mary Frazer</i> and others.</p> <p>An Act to enable a Sale of Lands for payment of the Debts of <i>Henry Kendall</i>, Esq.</p> <p>An Act for settling part of the Lands of <i>Henry Mildmay</i> Esq; deceased, for payment of his Debts, and making Provision for his Children.</p> <p>An Act to enable <i>Leicester Grosvenor</i> and his Trustees to sell certain Lands for payment of Debts.</p> |
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ANNO





ANNO REGNI  
CAROLI  
REGIS

*Angliæ, Scotiæ, Franciæ, & Hiberniæ,*

DECIMO SEXTO.

At the Parliament begun at *Westminster* the third day of *Novemb. An. Dom. 1640.* In the sixteenth year of the Reign of CHARLES the First, by the Grace of God, of *England, Scotland, France and Ireland* King, Defender of the Faith, &c. To the high pleasure of Almighty God, and to the weal publick of this Realm, were Enacted as followeth :

C A P. I.

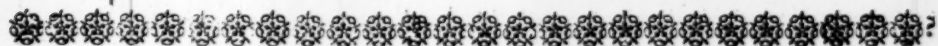
An Act for the preventing of Inconveniencies happening by the long Intermission of Parliaments. REP.

C A P. II.

A Grant of four entire Subsidies for the Relief of his Majesties Army, and the Nothern parts of the Kingdom. EXP.

C A P. III.

Some things mistaken in the last Act reformed, and the Acts of the Commissioners and other Officers by them appointed, made good. EXP.



*Anno decimo septimo Caroli Regis.*

C A P. IV.

A Grant of two Subsidies for the further Relief of his Majesties Army, and the Nothern parts of the Kingdom. EXP. and divers Statutes continued.



ND be it Enacted by the Authority aforesaid, That the passing of this present Act, or of any other Act or Acts, or his Majesties Royal Assent to them or any of them in this present Session of Parliament, shall not be any determination of the said Session, And that all Statutes and Acts of Parliament which have their continuance, or were by an Act of Parliament made in the third year of the Reign of his Majesty that now is, Intituled, An Act for the Continuance and Repeal of divers Statutes, continued until the end of the first Session of the then next Parliament, shall by vertue of this Act be adjudged ever since the Session of Parlia-

*Divers Statutes continued.*

ment in the said third year to have been of such force and effect, as the same were the last day of that Session, and from thenceforth until some other Act of Parliament be made touching the continuance or discontinuance of the said Statutes and Acts in the said Act of the third year of his Majesties Reign continued as aforesaid.

## C A P. V.

The Lord Admiral and others by his Authority may Raife and Impresse Mariners, Sailers, and others, for the present guarding of the Seas, and necessary Defence of the Realm. EXP.

## C A P. VI.

An Act concerning the Limitation and Abbreviation of *Michaelmas Terme*.

Inconvenience  
of Michaelmas  
Term being so  
soon after the  
feast of S.  
Michael.

**W**hereas the Terme of S. Michael, commonly called Michaelmas Terme doth begin so soon after the Feast of Saint Michael, that it is generally found to be very inconvenient to his Majesties Subjects both Nobles and others, as well for the keeping of the Quarter Sessions next after the Feast of Saint Michael the Arch-angel, and the keeping of their Leets, Law-dayes, and Court-Barons, which they can by no means attend, in regard of the necessity of their coming to the said Terme so speedily after the feast of Saint Michael the Arch-angel, to appear upon Juries, and to follow their Causes and Suits, in the Law, the same time being the chief time of all the year for the sowing of Land with Winter Corn, and for the disposing and setting in order of all their Winter Husbandry and businels, and for the receiving and paying of Rents; And in many parts of this Kingdom Harvest is seldom or never Inned till three weeks after the said Feast.

Therefore the Kings most excellent Majesty, out of the Princely care that he hath of all his loving Subjects, having a special care to the encrease and continuance of their wealth and good estates, by the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, Ordaineth, Enacteth, and Establisheth, That in the said Michaelmas Terme there shall be six common dayes of Return only, and not above, that is to say, The first day of Return thereof shall be, and be called, A die Sancti Michaelis in tres Septimanas; The second day of Return of the same Terme, shall be, and be called, A die Sancti Michaelis in unum Mensen; The third day of Return of the same Terme, shall be, and be called, In crastino animarum; The fourth day of Return of the same Terme, shall be, and be called, In crastino Sancti Martini; The fifth day of Return of the same Terme, shall be, and be called, In octabis Sancti Martini; And the sixth day of Return of the said Terme, shall be, and be called, A die Sancti Martini in quindecim dies.

In Michaelmas  
terms shall be  
six common  
dayes of Re-  
turn only.

The Return  
dayes to be  
observed.

Two return  
dayes taken  
away.

And that the same dayes of Return shall be observed in all the high Courts of Record of our Sovereign Lord the King, his Heirs and Successors hereafter to be holden at Westminster, or other place or places at the assignment or appointment of our Sovereign Lord the King, his Heirs and Successors; And that from and after the Feast of Saint Michael the Arch-angel next coming, there shall not be, nor be called any dayes of Return in Octabis sancti Michaelis, nor a die sancti Michaelis in quindecim dies, nor either of them; And that the said Terme of Saint Michael yearly for ever, from and after the said Feast of Saint Michael the Arch-angel next coming begin in, and upon the said Tres septimanas sancti Michaelis, whensoever it shall happen to fall (except it be on the Lords day, commonly called Sunday, and then on the morrow next after) for the keeping of the Essoins, Proffers, Returns, and other Ceremonies, heretofore used and kept in like manner and form, as hath been used to be done in the day of the Return, commonly called, Octabis Sancti Michaelis, and that the full term of Saint Michael shall yearly for ever from and after the Feast of Saint Michael next coming, in all the aforesaid Courts of Record begin, and take his commencement upon the quarto die of the said tres septimanas

manas S. Michaelis, and not before, as formerly it hath been used upon the quarto die of Octabis Sancti Michaelis, (except it be on the Lords day, commonly called Sunday, and then on the morrow next after.)

And be it further enacted by the Authority aforesaid, that if after the Feast of Saint Michael the Arch-angel next coming, any Writ in any real Action other then Writs of Entry for common Recoveries, and Writs of right of Advowson, and Writs of Dower, Unde nihil habet hereafter mentioned, come in and be returnable in his Majesties Court of Common Pleas, in the day of Return of Tres septimanas Sancti Michaelis, then day shall be given in Crastino purificationis beatæ Mariæ; and if à die Sancti Michaelis in unum Mensem, then in Octabis purificationis beatæ Mariæ; if in Crastino animarum, then in quindena paschæ; if in Crastino Sancti Martini, then à die paschæ in tres septimanas; if in Octabis Sancti Martini, then à die paschæ in unum Mensem; if in quindena Sancti Martini, then in quinque septimanas paschæ; if in Octabis Sancti Hillarii, then in Crastino Ascensionis Domini; if in quindena Sancti Hillarii, then in Crastino Sanctæ Trinitatis; if in Crastino purificationis beatæ Mariæ, then in Octabis Sanctæ Trinitatis; if in Octabis purificationis beatæ Mariæ, then in quindena sanctæ Trinitatis; if in quindena paschæ, then à die Sancti Michaelis in tres septimanas; if à die paschæ in tres septimanas, then à die Sancti Michaelis in tres septimanas; if à die paschæ in unum mensem, then à die Sancti Michaelis in unum mensem; if à die paschæ in quinque septimanas, then in Crastino animarum; if in Crastino ascensionis Domini, then in Crastino Sancti Martini; if in Crastino sanctæ Trinit. then in Octabis sancti Martini; if in Octabis sanctæ Trinitatis, then in quindena sancti Martini; if in quindena sanctæ Trinitatis, then in Octabis sancti Hillarii; if à die sanctæ Trinitatis in tres septimanas, then in quindena Sancti Hillarii.

And for the more speedy proceeding in Writs of Dower, and Writs of Entry for common Recoveries, to be sued and prosecuted, by Writs of Entry, or Writs of Right of Advowson; Be it further Enacted, by the Authority aforesaid, That if after the said Feast of Saint Michael the Arch-angel next coming, any Writ of Dower Unde nihil habet, or any Writ of Entry whereupon a common Recovery is to be sued, or Writs of Right of Advowson be returnable, à die Sancti Michaelis in tres septimanas, then a day shall be given in Octabis Sancti Martini; if à die Sancti Michaelis in unum mensem, then in quindena Sancti Martini; if in Crastino animarum, then in Octabis Sancti Hillarii; if in Crastino Sancti Martini, then in quindena Sancti Hillarii; if in Octabis Sancti Martini, then in Crastino purificationis beatæ Mariæ; if in quindena Sancti Martini, then in Octabis purificationis beatæ Mariæ; if in Octabis Sancti Hillarii, then in quindena paschæ; if in quindena Sancti Hillarii, then à die paschæ in tres septimanas; if in Crastino purificationis beatæ Mariæ; then à die paschæ in unum mensem; if in Octabis purificationis beatæ Mariæ; then à die paschæ in quinque septimanas; if in quindena paschæ, then in Crastino ascensionis Domini; if à die paschæ in tres septimanas, then in Crastino Sanctæ Trinitatis; if in Mense paschæ, then in Octabis Sanctæ Trinitatis; if in quinque septimanas paschæ, then in quindena Sanctæ Trinitatis; if in Crastino ascensionis Domini, then à die Sanctæ Trinitatis in tres septimanas; if in Crastino Sanctæ Trinitatis, then à die Sancti Michaelis in tres septimanas; if in Octabis Sanctæ Trinitatis, then à die Sancti Michaelis in unum mensem; if in quindena Sanctæ Trinitatis, then in Crastino Animarum; if à die sanctæ Trinitatis in tres septimanas, then in Crastino sancti Martini.

Provided nevertheless, and be it likewise enacted by the Authority aforesaid, that in all Writs of Dower, Unde nihil habet, after issue joyned, it shall not be needful or requisite to have above fifteen dayes betwixt the Teste and Return of the Venire Facias, or any other process to be sued out for the trial of the said Issue, but that the Writ of Venire Facias, and other Process after Issue joyned, until Judgment be given, having only fifteen dayes between the Teste and Return thereof, shall be good and effectual in Law, as is

When the Term shall begin.

How daies shall be given or Writs in real Actions, other then Writs of Entry Right, or Advowson, or Dower.

How dayes shall be given in these Writs.

In Writs of Dower after Issue joyned, fifteen dayes between the Teste and Return incient.



used in personal Actions: any Law, Statute, or usage to the contrary heretofore notwithstanding.

*Craftino ascensionis a good return.*

And be it further Enacted by the Authority aforesaid, that from and after the feast of Saint Michael the Archangel now next coming, the said day of Return, called Craftino Ascensionis Domini, shall be a good and perfect Return, to all intents and purposes, as any other of the said dayes of Return before mentioned is or hath been used, notwithstanding there be not fifteen dayes between the quarto die of the said Return of Craftino Ascensionis Domini, and the Effoin day of the Return of Craftino Sanctæ Trinitatis.

*The Effoin dayes.*

*Writs in personal actions, having day from Tres Michaelis, till Craftino ascensionis good.*

And be it further Enacted, That all Writs and Processe in personal Actions hereafter to be made, out of any of his Majesties said Courts at Westminster, and having day from Tres Michaelis, untill Craftino Animarum, shall be good and effectual in Law, notwithstanding there be not fifteen dayes betwixt the quarto die of the said tres septimanas sancti Michaelis, and the dayes of Effoins of Craftino Animarum: Any Law, Statute, or Usage to the contrary heretofore notwithstanding.

*Proviso for Writs returnable 1641. Exp.*

Provided alwaies, and be it further Enacted, by the Authority aforesaid, That all Writs and Processe to be made, from and after the feast of Easter, in the year of our Lord God 1641. returnable in Octabis or Quindena sancti Michaelis now next ensuing, or having dayes betwixt any of the said Returns, shall by force of this Act have day, unto Tres septimanas sancti Michaelis next, and the Parties to the said Writs and Processe shall then appear, and plead, and proceed thereupon, to all intents and purposes, as if the said Writs and Processe had been made returnable à die sancti Michaelis in tres septimanas.

*Writs of summons ad Warrantizandum, upon common recoveries, and Writs of Right of Advouson abridged to five returns.*

And whereas before the making of this Act, all Writs of Summons ad Warrantizandum, against the Vouchees upon Common Recoveries had in Writs of Entry, and Writs of Right of Advouson, were made for nine Returns inclusive; Now for the moze speedy perfecting of such Recoveries, Be it Enacted by the Authority aforesaid, That from and after the said feast of Saint Michael the Archangel next, all and every such Writs of Summons ad Warrantizandum, upon the appearance of the Tenant to every such Writ of Entry, and Writ of Right of Advouson, shall and may be made, and abridged to five Returns, as Writs of Summons, ad Warrantizandum, in Writs of Dower, unde nihil habet, heretofore have been used and accustomed.

*Common Writs and Processe to keep the aforesaid returns.*

And it is further Enacted, by the Authority aforesaid, That all common Writs and Processe, as well personal as mixt, which shall fortune to be returnable in the said Michaelmas Term, shall have and keep the said Returns of A die sancti Michaelis in tres septimanas, à die sancti Michaelis in unum mensem, in Craftino animarum, in Craftino sancti Martini, in Octabis sancti Martini, and a die sancti Martini in quindecim dies, or any of them.

*Special dayes may be appointed as have been used.*

Provided alwaies, And it is further Enacted by the Authority aforesaid, that in such and like cases, and Processe, as special dayes have been used to be appointed and assigned, and given for the returning of Writs and Processe; It shall be lawfull to the Justices of every of the Kings said Courts of Record, for the time being, in all the Processe by them awarded, to assign, and appoint special dayes of Returns, as by their discretions shall be thought convenient.

*Dayes in assise of Darrein presentment, and in plea of Quare impedit, and in attaint, not contrary hereto shall be firm.*

Provided also, And be it further Enacted by the Authority aforesaid, That the dayes in Assise of Darrein presentment, and in Plea of Quare impedit, limited and appointed by the Statute of Marlebridge, and also the dayes to be given in Attaint, limited in the Statute made in the fifth year of the Reign of the Noble King Edward the third; And also in the Statute made in the three and twentieth year of the Reign of the late King Henry the eighth of worthy memory, being not contrary to the Tenours of this Act, shall be holden firm and stable, and shall stand in their full force and effect.

C A P. VII.

*1 Stat 12. Car. 2, cap. 1.*

This Parliament shall not be dissolved, prorogued or adjourned, but by Act of Parliament. EXP.

C A P.

## C A P. VIII.

A Subsidie granted to the King of Tunnage, Poundage, and other Sums of Money payable upon Merchandize exported and imported, from the 25<sup>th</sup> May. 1641. to the 15<sup>th</sup> July following. EXP.

## C A P. IX.

Provision of Money for the speedy disbanding the Armies, and setting the peace of the two Kingdoms of *England* and *Scotland*, by raising and charging several Sums of Money upon persons according to their Ranks, Dignities, Offices, Callings, Estates, and Qualities therein mentioned, and Commissions to issue for levying the same. EXP.

## CAP. X.

An Act for Regulating the Privy Council, and taking away the Star Chamber Court.

**W**Hereas by the Great Charter many times confirmed in Parliament, It is Enacted, That no Freeman shall be taken or imprisoned or disseised of his Freehold or Liberties or Free Customs, or be Outlawed or exiled or otherwise destroyed, and that the King will not pass upon him, or condemn him but by lawful Judgment of his Peers, or by the Law of the Land; And by another Statute made in the fifth year of the Reign of King Edward the Third, It is Enacted, That no Man shall be attached by any accusation, nor fore-judged of Life or Limb, nor his Lands, Tenements, Goods, nor Chattels seised into the Kings hands against the form of the Great Charter, and the Law of the Land; And by another Statute made in the five and twentieth year of the Reign of the same King Edward the Third, It is accorded, assented and established, That none shall be taken by petition, or suggestion made to the King or to his Council, unless it be by Indictment or Presentment of good and lawful People of the same Neighbourhood where such deeds be done, in due manner, or by Process made by Writ Original at the Common Law, and that none be put out of his Franchise or Freehold, unless he be duly brought in, to answer, and forejudge of the same by the course of the Law, and if any thing be done against the same, it shall be redressed and holden for none. And by another Statute made in the eight and twentieth year of the Reign of the same King Edward the Third, It is amongst other things Enacted, That no Man of what Estate or condition soever he be, shall be put out of his Lands or Tenements, nor taken, nor imprisoned, nor disinherited, without being brought in to answer by due Process of Law; And by another Statute made in the two and fourtieth year of the Reign of the said King Edward the Third, It is Enacted, That no Man be put to answer without presentment before Justices, or matter of Record, or by due Process and Writ Original, according to the Old Law of the Land, and if any thing be done to the contrary, it shall be void in Law and holden for error. And by another Statute made in the six and thirtieth year of the same King Edward the Third, It is amongst other things Enacted, That all Pleas which shall be pleaded in any Courts before any the Kings Justices, or in his other places, or before any of his other Ministers, or in the Courts and places of any other Lords within the Realm, shall be entred and inrolled in Latine; And whereas by the Statute made in the third year of King Henry the seventh, power is given to the Chancellour, the Lord Treasurer of England for the time being, and the Keeper of the Kings Privy Seal, or two of them, calling unto them a Bishop and a Temporal Lord of the Kings most honourable Council, and the two chief Justices of the Kings Bench and Common Pleas for the time being, or other two Justices in their absence to proceed, as in that Act is expressed, for the punishment of some particular offences therein mentioned; And by the Statute made in the one and twentieth year of King Henry the eighth, The President of the Council is associated to joyn with the Lord Chancellour and other Judges in the said Statute of the third of Henry the seventh mentioned,

Recital of  
Magna Charta  
and several  
Statutes.  
St 3 li. 7. l.

But



But the said Judges have not kept themselves to the points limited by the said Statute, but have undertaken to punish where no Law doth warrant, and to make Decrees for things having no such authority, and to inflict heavier punishments than by any Law is warranted :

All matters  
examinable in  
the Star-cham-  
ber may be ex-  
aminable and  
redressed by  
the Common  
Law.

And forasmuch as all matters examinable, or determinable before the said Judges, or in the Court commonly called the Star-Chamber, may have their proper remedy and redress, and their due punishment, and correction by the Common Law of the Land, and in the Ordinary course of Justice elsewhere ; And forasmuch as the reasons and motives inducing the erection and continuance of that Court do now cease ; and the Proceedings, Censures, and Decrees of that Court, have by experience been found to be an intolerable burthen to the Subject, and the means to introduce an Arbitrary Power and Government ; And forasmuch as the Council-Table, hath of late times assumed unto it self, a power to intermeddle in Civil causes and matters, only of private interest between party and party, and have adventured to determine of the Estates, and Liberties of the Subject, contrary to the Law of the Land, and the Rights and Privileges of the Subject, by which great and manifold mischiefs and inconveniencies have arisen, and happened, and much incertainty by means of such proceedings hath been conceived concerning Mens Rights, and Estates ; For settling whereof, and preventing the like in time to come ;

Court of Star-  
Chamber and  
all its powers  
dissolved.

Be it Ordained and Enacted by the Authority of this present Parliament, That the said Court commonly called the Star-Chamber, and all Jurisdiction, Power, and Authority, belonging unto, or exercised in the same Court, or by any the Judges, Officers, or Ministers thereof, be from the first day of August, in the year of our Lord God, one thousand six hundred forty and one, clearly and absolutely dissolved, taken away, and determined ; and that from the said first day of August, neither the Lord Chancellor, or Keeper of the Great Seal of England, the Lord Treasurer of England, the Keeper of the Kings Privy Seal, or President of the Council, nor any Bishop, Temporal Lord, Privy-Counsellor, or Judge, or Justice whatsoever, shall have any power, or authority to hear, examine, or determine any matter, or thing whatsoever, in the said Court commonly called the Star-Chamber, or to make, pronounce, or deliver any Judgment, Sentence, Order, or Decree, or to do any Judicial, or Ministerial Act in the said Court ; And that all and every Act, and Acts of Parliament, and all and every Article, Clause, and Sentence in them, and every of them, by which any Jurisdiction, power, or authority is given, limited, or appointed unto the said Court commonly called the Star-Chamber, or unto all, or any the Judges, Officers, or Ministers thereof, or for any proceedings to be had, or made in the said Court, or for any matter, or thing to be drawn into question, examined, or determined there, shall for so much as concerneth the Star-Chamber, and the Power, and Authority thereby given unto it, be from the said first day of August repealed, and absolutely revoked and made void.

Like Jurisdi-  
ction in sever-  
al other  
Courts repea-  
led and taken  
away.

And be it likewise Enacted, That the like Jurisdiction now used and exercised in the Court before the President, and Council, in the Marches of Wales, and also in the Court, before the President, and Council established in the Northern parts, And also in the Court, commonly called the Court of the Duchy of Lancaster, held before the Chancellor, and Council of that Court : And also in the Court of Exchequer, of the County Palatine of Chester, held before the Chamberlain and Council of that Court ; The like Jurisdiction being exercised there shall from the said first day of August, one thousand six hundred forty and one, be also repealed, and absolutely revoked and made void, any Law, prescription, custome, or usage, Or the said Statute, made in the third year of King Henry the seventh, Or the Statute made the one and twentieth of Henry the eighth, Or any Act, or Acts of Parliament heretofore had or made, to the contrary thereof in any wise notwithstanding ; And that from henceforth no Court, Council, or place of Judicature shall be erected, ordained, constituted, or appointed within this Realm of England, or Domi-  
nion

No Court or  
Council to  
have the like  
Jurisdiction.



nion of Wales, which shall have, use, or exercise the same, or the like Jurisdiction, as is, or hath been used, practised, or exercised in the said Court of Star-Chamber.

Be it likewise declared, and Enacted by Authority of this present Parliament, That neither his Majesty, nor his Privy Council, have, or ought to have any Jurisdiction, power, or authority, by English Bill, Petition, Articles, Libell, or any other Arbitrary way whatsoever, to examine or draw into question, determine, or dispose of the Lands, Tenements, Hereditaments, Goods, or Chattels, of any the Subjects of this Kingdom: But that the same ought to be tried, and determined in the ordinary Courts of Justice, and by the ordinary course of the Law.

The King nor his Privy Council shall have no Jurisdiction over any mans estate.

And be it further provided, and Enacted, That if any Lord Chancellor, or Keeper of the Great Seal of England, Lord Treasurer, Keeper of the Kings Privy Seal, President of the Council, Bishop, Temporal Lord, Privy Counsellour, Judge, or Justice whatsoever, shall offend, or do any thing contrary to the purport, true intent and meaning of this Law, Then he, or they, shall for such offence, forfeit the sum of five hundred pounds of lawful Money of England, unto any party grieved, his Executors, or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon, to be recorded in any Court of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Essoine, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of restraint shall be in any wise prayed, granted, or allowed, nor any more than one Imparllance. And if any person, against whom any such Judgment, or Recovery shall be had as aforesaid, shall after such Judgment, or Recovery, offend again in the same, then he, or they, for such offence, shall forfeit the sum of one thousand pounds, of lawful money of England, unto any party grieved, his Executors, or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon to be recorded in any Court of Record at Westminster, by action of Debt, Bill, Plaint, or Information, in which no Essoine, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of Restraint, shall be in any wise prayed, granted, or allowed, nor any more than one Imparllance. And if any Person against whom any such second Judgment, or Recovery, shall be had as aforesaid, shall after such Judgment, or Recovery, offend again in the same kind, and shall be thereof duly convicted, by Indictment, Information, or any other lawful way, or means, that such Person so convicted shall be from thenceforth disabled, and become by Vertue of this Act incapable, Ipso facto, to bear his, and their said Office, and Offices respectively, and shall be likewise disabled to make any Gift, Grant, Conveyance, or other disposition of any of his Lands, Tenements, Hereditaments, Goods, or Chattels, or to take any benefit of any Gift, Conveyance, or Legacy to his own use.

Penalties upon great Officers and others for the first offence.

Second offence.

Third offence.

And every person so offending shall likewise forfeit and lose unto the Party grieved, by any thing done contrary to the true intent and meaning of this Law, his treble damages, which he shall sustain, and be put unto, by means, or occasion of any such Act, or thing done, the same to be recovered in any of his Majesties Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Essoine, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of Restraint, shall be in any wise Prayed, Granted, or allowed, nor any more than one Imparllance.

Treble damages to the party grieved.

And be it also provided and Enacted, That if any person shall hereafter be committed, restrained of his Liberty, or suffer imprisonment by the Order or Decree of any such Court of Star-Chamber, or other Court aforesaid, now, or at any time hereafter having or pretending to have the same or like Jurisdiction, power, or authority, to commit, or imprison as aforesaid; Or by the command or Warrant of the Kings Majesty, his Heirs or Successours in their own Person, or by the Command or Warrant of the Council-board, or of any of the Lords, or others of his Majesties Privy Council, That in every such case

Every person committed contrary to this Act shall have an Habeas Corpus.

case every Person so committed, restrained of his liberty, or suffering imprisonment, upon demand or motion made by his Council, or other employed by him for that purpose, unto the Judges of the Court of Kings Bench, or Common Pleas, in open Court, shall without delay, upon any pretence whatsoever, for the ordinary Fees usually paid for the same, have forthwith granted unto him a Writ of Habeas Corpus, to be directed generally unto all and every Sheriffs, Gaoler, Minister, Officer, or other Person, in whose custody the party committed or restrained shall be, and the Sheriffs, Gaoler, Minister, Officer, or other person in whose custody the party so committed or restrained shall be, shall at the return of the said Writ, and according to the command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth such Writ, and upon security by his own bond given, to pay the charge of carrying back the prisoner, if he shall be remanded by the Court, to which he shall be brought, as in like cases hath been used, such charges of bringing up and carrying back the prisoner, to be alwaies ordered by the Court, if any difference shall arise thereabout, bring or cause to be brought the body of the said party so committed, or restrained, unto and before the Judges or Justices of the said Court, from whence the same Writ shall issue in open Court, and shall then likewise certify the true cause of such his deteinour, or imprisonment, and thereupon the Court within three Court-dayes after such return made and delivered in open Court, shall proceed to examine and determine whether the cause of such commitment appearing upon the said return be just and legal, or not, and shall thereupon do what to justice shall appertain, either by delivering, bailing, or remanding the prisoner. And if any thing shall be otherwise wilfully done, or omitted to be done by any Judge, Justice, Officer, or other person aforesaid, contrary to the direction and true meaning hereof, That then such person so offending shall forfeit to the party grieved, his treble damages, to be recovered by such means, and in such manner, as is formerly in this Act limited and appointed for the like penalty to be sued for and recovered.

Treble damages in default,

To what Courts this Act shall extend.

Provided alwaies, and be it Enacted, That this Act, and the several Clauses therein contained, shall be taken and expounded to extend only to the Court of Star-Chamber, and to the said Courts holden before the President and Council in the Marches of Wales, and before the President and Council in the Northern parts; and also to the Court commonly called the Court of the Dutchy of Lancaster, holden before the Chancellour and Council of that Court: And also in the Court of Exchequer of the County Palatine of Chester, held before the Chamberlain and Council of that Court; And to all Courts of like Jurisdiction to be hereafter erected, ordained, constituted, or appointed as aforesaid; And to the Warrants and directions of the Council-boards, and to the commitments, restraints, and Imprisonments of any Person or Persons made, commanded, or awarded by the Kings Majesty, his Heirs or Successors in their own person, or by the Lords and others of the Privy Council, and every one of them.

Offenders of this Act shall be impleaded within two years after any offence.

And lastly, Provided, and be it Enacted, That no person or persons shall be sued, impleaded, molested, or troubled, for any offence against this present Act, unless the party supposed to have so offended, shall be sued or impleaded for the same within two years at the most after such time wherein the said offence shall be committed.

#### C A P. XI.

An Act for repeal of a branch of a Statute *primo Elizabethæ*, concerning Commissioners for causes Ecclesiastical.

St. 1. Eliz. 1.

**V**hereas in the Parliament, holden in the first year of the Reign of the late Queen Elizabeth, late Queen of England, there was an Act made and established, Intituled, An Act restoring to the Crown the ancient Jurisdiction over



over the State Ecclesiastical and Spiritual, and abolishing all Forreign Power repugnant to the same; In which Act, amongst other things, there is contained one Clause, Branch, Article, or Sentence, whereby it was Enacted to this effect; Namely, That the said late Queens Highness, her Heirs and Successors Kings or Queens of this Realm, should have full power and authority by vertue of that Act by Letters Patent under the Great Seal of England, to assign, name, and authorize, when, and as often as her Highness, her Heirs or Successors, should think meet and convenient, and for such, and so long time as should please her Highness, her Heirs or Successors, such Person or Persons being natural born Subjects to her Highness, her Heirs or Successors, as her Majesty, her Heirs or Successors should think meet to exercise, use, occupy, and execute under her Highness, her Heirs and Successors, a manner of Jurisdiction, Privileges, and Preeminence, in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within these her Realms of England and Ireland, or any other her Highness Dominions and Countries, and to visit, reform, redress, order, correct, and amend all such errors, heresies, schisms, abuses, offences, contempts, and enormities whatsoever, which by any manner Spiritual or Ecclesiastical Power, Authority, or Jurisdiction, can, or may lawfully be reformed, ordered, redressed, corrected, restrained, or amended, to the pleasure of Almighty God, the increase of vertue, and the conservation of the Peace and Unity of this Realm. And that such Person or Persons so to be named, assigned, authorized, and appointed by her Highness, her Heirs or Successors, after the said Letters Patents to him or them made and delivered, as aforesaid, should have full power and authority by vertue of that Act, and of the said Letters Patents under her Highness, her Heirs or Successors to exercise, use, and execute all the Premises, according to the tenour and effect of the said Letters Patents, any matter or cause to the contrary in any wise notwithstanding.

And whereas by colour of some words in the foresaid Branch of the said Act, whereby Commissioners are authorized to execute their Commission according to the tenour and effect of the Kings Letters Patents; and by Letters Patents grounded thereupon, the said Commissioners have to the great and insufferable wrong and oppression of the Kings Subjects, used to fine and imprison them, and to exercise other authority not belonging to Ecclesiastical Jurisdiction restored by that Act, and divers other great mischiefs and inconveniences have also ensued to the Kings Subjects, by occasion of the said Branch and Commissions issued thereupon, and the executions thereof: Therefore for the repressing and preventing of the foresaid abuses, mischiefs, and inconveniences in time to come;

Be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the authority of the same, That the foresaid Branch, Clause, Article, or Sentence contained in the said Act, and every word, matter, and thing contained in that Branch, Clause, Article, or Sentence, shall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever, any thing in the said Act to the contrary in any wise notwithstanding. Rep. St. 13. Car. 1. cap. 11.

And be it also Enacted by the Authority aforesaid, that no Archbishop, Bishop, nor Vicar General, nor any Chancellour, Official, nor Commissary of any Archbishop, Bishop, or Vicar General, nor any Ordinary whatsoever, nor any other Spiritual or Ecclesiastical Judge, Officer, or Minister of Justice, nor any other person or persons whatsoever, exercising Spiritual or Ecclesiastical power, authority, or jurisdiction, by any Grant, Licence, or Commission of the Kings Majesty, his Heirs or Successors, or by any power or authority derived from the King, his Heirs or Successors, or otherwise, shall from and after the first day of August, which shall be in the year of our Lord God, one thousand six hundred forty and one, award, impose, or inflict any pain, penalty, fine, amercement, imprisonment, or other corporal punishment upon any of the

High Commission Court,

The said branch of the Stat. 1. El. ca. 21. repealed.

Power taken away from Archbishops, Bishops, and other Ecclesiastical persons and Courts. Exp. St. 13. Car. 2. cap. 11.



Oath ex officio.  
St. 13. Car. 1.  
cap. 12.

Penalty, treble  
damages, and  
one hundred  
pounds.

Offenders  
convicted, dis-  
abled from  
any office or  
employment  
by the Kings  
Letters Pa-  
tents.

No new Court  
to be erected  
with the like  
power.

the Kings Subjects, for any contempt, misdemeanour, crime, offence, matter or thing whatsoever, belonging to Spiritual or Ecclesiastical cognisance, or Jurisdiction, or shall ex officio, or at the instance or promotion of any other person whatsoever, urge, enforce, tender, give, or minister unto any Churchwarden, Sydemian, or other person whatsoever, any corporal Oath, whereby he or she shall or may be charged or obliged to make any presentment of any crime, or offence, or to confess or to accuse him or her self of any crime, offence, delinquency, or misdemeanour, or any neglect, matter, or thing, whereby, or by reason whereof, he or she shall or may be liable or exposed to any censure, pain, penalty, or punishment whatsoever, upon pain, and penalty that every person, who shall offend contrary to the Statute, shall forfeit and pay treble damages to every person thereby grieved, and the sum of one hundred pounds to him or them who shall first demand and sue for the same, which said treble damages, and sum of one hundred pounds shall and may be demanded and recovered by Action of Debt, Bill, or Plaint, in any Court of Record, wherein no privilege, Essoine, protection, or wager of Law shall be admitted or allowed to the Defendant. And be it further Enacted, That every person who shall be once convicted of any act or offence prohibited by this Statute, shall for such act or offence be from and after such conviction utterly disabled to be or continue in any office, or employment, in any Court of Justice whatsoever: or to exercise or execute any power, authority, or Jurisdiction, by force of any Commission, or Letters Patents of the King, his Heirs, or Successors.

And be it further Enacted, That from and after the said first day of August, no new Court shall be erected, ordained or appointed, within this Realm of England or Dominion of Wales, which shall or may have the like power, jurisdiction, or authority, as the said High Commission Court now hath, or pretendeth to have. But that all and every such Letters Patents, Commissions and Grants, made, or to be made by his Majesty, his Heirs or Successors, And all powers and authorities granted, or pretended, or mentioned to be granted thereby, and all Acts, Sentences, and Decrees, to be made by virtue or colour thereof, shall be utterly void, and of none effect.

#### C A P. XII.

A Subsidy granted to the King of Tunnage, and Poundage, and other Sums of Money payable upon Merchandize exported and imported, from the 15<sup>th</sup> of July, 1641. to the 10<sup>th</sup> of August next. EXP.

#### C A P. XIII.

Such Moneys secured, as are or shall be due to the Inhabitants of the County of York, and the other adjoining Counties, for the Billet of the Souldiers, and to certain Officers of the Army who forbear part of their Pay, according to an Order in that behalf made in the Commons House of Parliament this present Session, for such part of their Pay as they shall so forbear. EXP.

#### C A P. XIII.

An Act for declaring the late proceedings touching Ship-money unlawful and void, and all Records and Process concerning the same.

Shipwrits.

Certioraries.  
Mittimus.

**W**hereas divers Writs of late time, issued under the Great Seal of England, commonly called Shipwrits, for the charging of the Ports, Towns, Cities, Boroughs, and Counties of this Realm respectively, to provide and furnish certain Ships for his Majesties Service: And whereas upon the Execution of the same Writs, and Returns of Certioraries thereupon made, and the sending the same by Mittimus into the Court of Exchequer, Process hath been thence made against sundry Persons pretended to be charged by way of Contribution, for the making up of certain Sums assessed for the providing of the said Ships, and in especial in Easter Term, in the thirteenth year of the Reign of our Sovereign Lord the King that now is, a Writ of Scire facias was awarded out of the Court of Exchequer, to the then Sheriffe of Buckingham-

Bukingham-Shire, against John Hampden Esquire, to appear and shew cause, why he should not be charged with a certain Sum so assessed upon him, upon whose appearance and demurrer to the proceedings therein, the Barons of the Exchequer adjourned the same Case into the Exchequer-chamber, where it was solemnly argued divers daies, and at length it was there agreed by the greater part of all Justices of the Courts of Kings Bench, and Common Pleas, and of the Barons of the Exchequer, there assembled, that the said John Hampden should be charged with the said Sum so as aforesaid assessed on him; The main grounds and reasons of the said Justices and Barons which so agreed, being, that when the good and safety of the Kingdom in general is concerned, and the whole Kingdom in danger, the King might by Writ under the Great Seal of England command all the Subjects of this his Kingdom at their charge to provide and furnish such manner of Ships with Men, Victuals, and Munition, and for such time as the King should think fit, for the defence and safeguard of the Kingdom, from such danger and peril; and that by Law the King might compel the doing thereof, in case of refusal, or refractoriness, and that the King is the sole Judge both of the danger, and when, and how the same is to be prevented, and avoided; according to which grounds, and reasons, all the Justices of the said Courts of Kings Bench, and Common Pleas, and the said Barons of the Exchequer, having been formerly consulted with by his Majesties command, had set their hands to an extrajudicial opinion, expressed to the same purpose; which opinion with their names therein, to was also by his Majesties command inrolled in the Courts of Chancery, Kings Bench, Common Pleas, and Exchequer, and likewise entered among the Remembrances of the Court of Star-chamber, and according to the said agreement of the said Justices, and Barons, Judgment was given by the Barons of the Exchequer, That the said John Hampden should be charged with the said Sum so assessed on him; And whereas some other Actions and Process, depend, and have depended in the said Court of Exchequer, and in some other Courts against other persons, for the like kind of charge, grounded upon the said Writs, commonly called Shipwrits, all which Writs, and proceedings as aforesaid, were utterly against the Law of the Land:

*Scire Facias*  
against John  
Hampden Esq;  
Demurrer.

Extrajudicial  
opinion.

Judgment.

Ship-money  
and proceed-  
ings thereup-  
on contrary  
to Law.

Be it therefore declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the said charge imposed upon the Subject, for the providing and furnishing of Ships, commonly called Ship-money, and the said extrajudicial opinion of the said Justices and Barons, and the said Writs, and every of them, and the said agreement or opinion of the greater part of the said Justices and Barons, and the said Judgment given against the said John Hampden, were, and are contrary to, and against the Laws and Statutes of this Realm, the right of property, the liberty of the Subjects, former resolutions in Parliament, and the Petition of Right, made in the third year of the Reign of his Majesty that now is.

St. 3. Car. 1.  
Petition of  
right to be ob-  
served.

And it is further declared and Enacted by the Authority aforesaid, That all and every the particulars prayed or desired in the said Petition of Right, shall from henceforth be put in execution accordingly, and shall be firmly and strictly holden and observed, as in the same Petition they are prayed and expressed; and that all and every the Records and remembrances of all and every the Judgment, Inrolments, Entry and proceedings, as aforesaid, and all and every the proceedings whatsoever, upon, or by pretext or colour of any of the said Writs, commonly called Ship-Writs, and all and every the Dependents on any of them, shall be Deemed and Adjudged to all intents, constructions, and purposes, to be utterly void and disannulled; and that all and every the said Judgment, Inrolments, Entries, Proceedings, and Dependents of what kind soever, shall be vacated and cancelled in such manner and form as Records use to be that are vacated.

Judgments  
and proceed-  
ings touching  
Ship-money  
and all entries,  
records, and  
in rollments  
thereof made  
void.



## C A P. XV.

An Act against divers Inroachments and Oppressions in the Stannary Courts.

E. 1. Charter.

Explained so.  
E. 3.

**V**hereas King Edward the first of famous memory, did for the Amendment of the Stannaries in the County of Devon, grant divers Franchises and Liberties to the Tynners there: And whereas in the Parliament, in the fiftieth year of King Edward the third, upon the Petition of the Commons of the County of Devon, certain Branches and Articles of the said Charter were explained, in manner following, That is to say, whereas one Article of the said Charter is in these words following, viz. Sciatis nos ad emendationem Stannariarum nostrarum in Com. Devon. ad tranquillitatem & utilitatem Stannatorum nostrorum prædictorum earundem Concessisse pro nobis & hæredibus nostris, Quod omnes Stannatores prædicti operantes in Stannariis illis quæ sunt Dominica nostra dum operantur in eisdem Stannariis liberi sint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam nostram & hæredum nostrorum qualitercunque tangen. Ita quod non respondeant coram aliquibus Justiciariis vel Ministris nostris seu hæredum nostrorum de aliquo placito seu querela infra prædictas Stannarias emergent. nisi Coram Custode nostro Stannariarum nostrarum prædictarum, qui pro tempore fuit (except. placitis terræ vitæ & membrorum) nec recedant ab operationibus suis per summonitionem alicujus Ministrorum nostrorum, seu hæredum nostrorum, nisi per summonitionem communem dicti Custodis nostri; Et quod quieti sint de omnibus tallag' Theolon. stallag. auxiliis & aliis custumis quibuscunque in villis, portubus, feriis, & mercatis infra Com. præd. de bonis suis propriis, &c. Whereupon the said Commons prayed a Declaration, as followeth, Requeste, Sur quoi plese declarer si auters persons que les Esteymos operantz in les Estemeryes avont & enjoyeront la franchise gente per la dite chartre du Roy desicome la dite chartre voet. Quod omnes Stannatores prædicti operantes in Stannariis illis sint liberi, &c. Et auters persons que les onours cestassavoir los Maistres que les lovent & los servants & auters claymont mesme la Franchise. Et auxint plese declarer si les dirz onours y avont les Franchises in auters temps que quant ils avont in mesme Lestemery desicome la chre' voet. Dum operantur in eisdem Stannariis sint liberi, &c. Upon which request answer was made, as followeth: Respons. En droit de les dites paroles operantes in Stannariis illis & dum operantur in eisdem Stannariis, Soient clerelement entenduz de operariis laborantibus duntaxat in Stannariis illis sine fraude & dolo, & non de aliis, nec alibi laborantibus. And whereas the said Commons prayed a farther Declaration, as followeth: Requeste, Item soit declarez, si le Gardein de Lestemery puisse tenir plee inter Esteymo & Forreyn de querelle sourdante aillos que en les lieux ou ils sont onantz desicome la Chre' voet. Quod Custos noster prædictus vel ejus locum Tenens teneat omnia placita inter Stannatores prædictos emergent. & etiam inter ipsos & alios forinsecos de omnibus transgressionibus, querelis, & contractibus factis in locis in quibus operantur infra Stannarias prædictas similiter emergent. &c. Quar il tient plee des tieux quereles sourdantz in chescune parte deins le dit Counte. Upon which, answer was made in these words, viz. Resp. Et en droit de ceste Article, se ent extend la Jurisdiction clerelement solonc les paroles del dit Chre' Cestassavoir; In locis ubi iidem operarii operantur & nemy aillours ne en autre manere. Which Charter so declared, was repeated again; And in the eighth year of the Reigne of King Richard the second commanded to be put in execution.

S. R. 21

The like Charter to Tynners in Cornwall.

Declaration.

And whereas the said King Edward the first made the like Charter to the Tynners in the County of Cornwall, which Charter was in the foresaid Parliament upon the request of the Commons of the County of Cornwall declared in the same manner and words.

And whereas the Tynners of the Counties of Devon and Cornwall have by vertue of the said Charters enjoyed divers and great Liberties, and are quit from all Tolls, Tollages, Aids, and other customes in the Willes, Ports, Fairs,



Fairs, and Markets, within the said Counties respectively: Which great Liberties do of right belong to the working Tinner, working without fraud or deceit in the Stannaries aforesaid, and not to any other nor elsewhere working, and were granted to the said Tinners for their encouragement in their works: And whereas of late years sundry Inhabitants within the said Counties, and others, to entitle themselves to the said Liberties, have by fraud and covin, for small or no considerations, bought and acquired, and do buy and acquire to themselves decayed Tinne-works, and small and inconsiderable parts in the same and other Tinne-works; which abuses are done principally to enable the said false and fained Tinners, to vex and sue their Neighbours in the Stannary Courts, where for the most part the Defendant is unjustly debarred his costs, although the cause be adjudged with him, and the Jurisdiction of the said Stannaries hath, contrary to ancient right and usage, and the said Charters, been endeavoured to be extended out of the places where the Tinners do work, through the whole Counties of Devon and Cornwall respectively, which is no way for the benefit of his Majesty, but for the singular lucre of some private persons: And whereas by the said abuses great inconveniences do follow (That is to say) the Inhabitants of the said Counties are miserably vexed, oppressed, and imprisoned, his Majesty defrauded of his Aids and Customs, and the Lords and Owners of Fairs, Markets, and other Franchises of their Tolls and Duties, and the Government of the Country exceedingly confounded and eluded, the said false and fained Tinners claiming when they list to be Tinners, and when they list to be foreigners; besides that, if timely provision be not made, the certain decay of his Majesties profit in the Tinne-works will ensue, for that the same being divided into so many hands and parts cannot conveniently be set on work, nor Contribution raised for the working the same:

Abuse of liberties.

Be it therefore Enacted by his Majesty, and the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, That the said Declarations be henceforth held and duly observed with this, that the words of the said Charters and Declarations, *In locis ubi operantur*, be expounded of the Will, Tithing, and Hamlet, where some Tinne-work in work is situate, and not elsewhere, and no longer than the same Tinne-work is or shall be in working. And if any person or persons that shall be sued in the said Stannaries, shall swear, or tender his or their Oath in the said Court where he or they shall be sued, that he or they are not, nor is, nor time of the Suit commenced was not, nor were a Tinner or Tinners, then such Defendant or Defendants shall be forthwith discharged of such Suit, unless that the Plaintiff or Plaintiffs do forthwith make Oath that the said Plaintiff or Plaintiffs, is or are true and working Tinners, without fraud or deceit: and that the cause of his or their Suit arose within the said Stannaries, or concerneth Tinne or Tinne-works. And if any person being not *re vera*, and without fraud, a working and labouring Tinner, in or about some Tinne-work, set on work within one half year next before his Suit, shall sue, prosecute, or implead in any the said Courts, or before the Warden, Vice-Warden, or Steward of the said Stannaries; any Person or Persons that is or are not a Tinner or Tinners at the time of such Suit commenced, Then the Defendant and Defendants in every such case, shall have his and their Action at the Common Law, against such person suing or prosecuting, wherein he shall recover ten pounds, and his damages and costs of Suit; Provided, that such Action be brought within two years next after the Action or Suit brought in the said Stannary Courts, or before the said Warden, Vice-Warden, or Steward.

The former Declarations confirmed.

*In locis ubi operantur*, how expounded.

None but Tinners to be sued, unless by working Tinners.

Persons sued by others shall have their action.

Such action to be brought within two years.

And be it declared and enacted, That in all cases where the Plaintiff or Defendant, Plaintiffs or Defendants, are to have costs by the Laws or Statutes of this Realm, there also the Plaintiffs and Defendants shall have the like costs in the Stannary Courts. And in regard that the said Charters were granted for the ease and advantage of the Tinners; and not for their disadvantage

Costs in Stannary Courts.

Tinners may  
set forfeitures  
at the Com-  
mon Law.

Abuses of poor  
bayliffs in the  
Stannaries.

How Sureties  
may be sued.

No Defendant  
shall be con-  
demned on a  
bailiffs return  
unless on a  
note subscri-  
bed by the  
party.  
Bayle.

Rescous.

vantage or oppression, and yet divers of them who for special reasons have desired to sue at the Common Law, have been restrained;

Be it declared and Enacted, That it shall be lawful to and for the said Tinners, if they think fit, to sue any Forreigners at the Common Law; the said Charter, or any usage to the contrary notwithstanding.

And whereas the Bailiffs of the said Stannary Courts are very numerous, and are persons of small or no credit, and yet upon their return that any person is become Surety for another upon Arrest by Process out of the said Courts, such person who sometimes knows nothing of the matter, is by false Returns of the said Bayliffs made liable to the debt or demand, which Bayliffs, by reason of their poverty, are often not responsible, and so the party without remedy:

Be it Enacted, That no Person or Persons be charged or troubled as Surety by any Return of any Bailiffe or Bailiffs of the said Stannaries, unless that the person or persons returned Surety or Sureties, shall in the presence of two witnesses subscribe or sign a Note in writing, that such person or persons is or are become Surety or Sureties; which Note shall mention the names of the Plaintiffs and Defendants in the Suit, and the sum or damages in demand, and the nature of the Action, and shall be signed or subscribed by the said Witnesses, and returned and filed in the Court out of which such Process shall issue, and no Bailiffe or Bailiffs of the said Stannaries shall be admitted as witnesses to any such Note.

And whereas in the said Stannaries it is used, that if the Bailiffs return any Person arrested, that if such person make default at the day, he shall be condemned, and Execution is suddenly awarded, when as often the party was not arrested:

Be it further Enacted, That no Defendant shall be condemned upon such Return for not appearing, unless also a Note under the Hand or Sign of the party Arrested, and subscribed by two such Witnesses, as aforesaid, be returned into the said Court, at or before the day of Appearance; and the said Bailiffe or Bailiffs shall take but four pence for every such Note as aforesaid; and it is provided, that none shall be bailed upon arrest there till he give such Note.

And in case any the said Bailiffe or Bailiffs shall return a Rescous against any Person or Persons, he or they shall be admitted to Traverse the said Return; which Traverse, if it be found with him or them so Traversing, then he or they shall be no further troubled or occasioned by reason of such return.

#### C A P. XVI.

An Act for the certainty of Forrests, and the Meeres, Meets, and Bounds of the Forrests.

St. 1. E. 3.

Whereas by Act of Parliament made in the first year of the Reign of the late King Edward the third it is ordained, That the old Perambulation of the Forrest in the time of King Edward the first, should be thenceforth holden in like form as it was then ridden and bounded, and in such places where it was not bounded, the King would that it should be bounded by good Men and lawful:

And whereas for many Ages past, certain Meets, Meers, Limits, and Bounds of the Forrests, have been commonly known and observed in the several Counties wherein the said Forrests lye:

And whereas of late divers Presentments have been made, and some Judgments given, whereby the Meets, Meers, Limits, and Bounds of some of the said Forrests have been variously extended, or pretended to extend beyond some of the said Meets, Meers, Limits, and Bounds so commonly known, and formerly observed; to the great grievance and vexation of many persons having Lands adjoyning to the said Meets, Meers, Limits, and Bounds so commonly



commonly known, and formerly observed: And whereas of late time some Endeavours or Pretences have been to set on foot Forrests in some parts of this Realm, and the Dominion of Wales, where in truth none have been, nor ought to be, or at least have not been used of long time: For remedy thereof, may it please your most Excellent Majesty, that it be declared and Enacted by Authority of Parliament:

And be it declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That from henceforth the Meets, Heers, Limits, and Bounds of all and every the Forrests respectively, shall be to all intents and purposes, taken adjudged, and deemed to extend no further respectively, then the Meets, Heers, Limits, and Bounds which in the several Counties respectively, wherein the said Forrests do lye, were commonly known, reputed, used, or taken to be the Meets, Heers, Limits, and Bounds of the said Forrests respectively, in the twentieth year of the Reign of our late Sovereign Lord King James, and not beyond in any wise, any Perambulation or Perambulations, Presentments, Extents, Surveys, Judgments, Records, Decrees, or other matter or thing whatsoever to the contrary notwithstanding: And that all and every the Presentments since the said twentieth year made, and that all and every other Presentment and Presentments, and all and every Judgment and award upon, or by reason or pretext of any such Presentment or Presentments, and all and every Perambulation and Perambulations, Surveys, Extents, and other Act and Acts, at any time heretofore had or made, by which the Meets, Heers, Limits, or Bounds of the said Forrests, or any of them, are, or are pretended to be further extended then as aforesaid: And also all and every Presentment of any person or persons at any Justice seat, Swainmote, or Court of Attachments, for, or by reason, or by colour of any Act or Acts whatsoever done or committed in any place without, or beyond the said Meets, Heers, Limits, or Bounds respectively, so commonly known, reputed, used, or taken as aforesaid, and all and every Fine and Fines, and Amercement and Amercements, upon, by reason or colour of any such Presentment or Presentments, shall from henceforth be adjudged, deemed, and taken to be utterly void, and of no force or effect, any Law, Statute, Record, or pretence whatsoever, to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That no place or places within this Realm of England, or Dominion of Wales, where no such Justice seat, Swainmote, or Court of Attachment have been held, or kept, or where no Verderers have been chosen, or regard made within the space of sixty years next before the first year of his Majesties Reign that now is, shall be at any time hereafter judged, deemed, or taken to be Forrest, or within the bounds or meets of the Forrests; But the same shall be from henceforth for ever hereafter Disafforested, and freed, and exempted from the Forrests Laws: Any Justice seat, Swainmote, or Court of Attachment held or kept within, or for any such place or places, at any time or times since the beginning of his Majesties said Reign, or any presentment, enquiry, Act, or thing heretofore made or hereafter to be made or done to the contrary notwithstanding.

Provided also, and be it further Enacted by the Authority aforesaid, That for the better putting into certainty, all and every the Meets, Heers, Bounds, and Limits of all and every the Forrests, as aforesaid, the Lord Chancellor, or Lord Keeper of the great Seal of England for the time being, shall by Vertue of this Act upon request of any of the Peers of this Kingdom, or of the Knights and Burgesses of the Parliament, or any of them, grant several Commissions under the great Seal of England, to Commissioners to be nominated respectively by the said Peers, Knights, and Burgesses, or any of them, to enquire of, and find out by Inquests of good and lawful men upon Oath, and by the Oaths of Witnesses to be produced at the said Inquests, and by all other lawful means, all, and every the Heers, Meets, Bounds, and Limits of the

What shall be the Meets and bounds of Forrests.

10 Jacob.

Presentments contrary hereunto shall be void.

No place where no Justice seat, Swainmote, court of attachment, &c. hath been within 60 years, shall be accounted Forrest.

For ascertaining of Meets, &c. Commissions shall be issued.

the



the Forrests respectively, which were commonly known to be their Meets, Meers, Bounds, and Limits respectively, in the said twentieth year of the Reign of our late Sovereign Lord King James; And to return the Inquests so taken into the Court of Chancery; and that all and every the Sheriffs, and Bailiffs, of, and in every County wherein any such Inquests shall be so to be taken; And all and every the Verderers, Forresters, Rangers, and other Officers of the Forrests respectively where any such Officers be, shall be assistant, and attendant to the execution of the said Commissions, according as by vertue of the said Commissions respectively they shall be commanded; And where no such Officers are, or where such Officers be, if they, or any of them shall refuse, or neglect such assistance, and attendance as aforesaid, Then the said Commissioners shall, and may, proceed without them in the execution of the said Commissions.

Forrests shall not extend beyond the meets, &c. so returned.

And be it further Enacted by the Authority aforesaid, That the Forrests whereof the Meets, Meers, Limits, and Bounds be so returned, and certified by vertue of any the said Commissions as aforesaid, from thenceforth shall not extend, nor be extended, nor be deemed, adjudged, or taken to extend any further in any wise than the Meets, Meers, Limits, and Bounds that shall be so returned, and certified: And that all the places, and Territories that shall be without the Meets, Meers, Limits, and Bounds so returned and certified, shall be, and are hereby declared to be from thenceforth free to all intents and purposes, as if the same had never been Forrest, or so reputed; Any Act or Acts, matter, or thing whatsoever, to the contrary thereof notwithstanding.

Grounds deaforrested shall be excluded.

Provided, and be it further Enacted by Authority aforesaid, That all and every the grounds, Territories, or places which have been, or are Deaforrested, or mentioned to be Deaforrested, in, or by any Letters Patents, Charters, or otherwise, since the said twentieth year of the Reign of our said late Sovereign Lord King James, shall be excluded, and left out of the Meets, Meers, Limits, and Bounds of the Forrests, which are to be enquired of, returned, and certified by vertue of the said Commissions, or any of them respectively: And shall be, and hereby are declared and Enacted to be utterly Deaforrested, free, and exempt to all intents, and purposes, as if the same had never been at all Forrest, or so reputed: Any thing in this present Act contained, or any other Act, matter, or thing whatsoever to the contrary in any wise notwithstanding.

Tenants, owners, &c. of lands excluded shall enjoy their ancient Commission, &c.

Provided nevertheless, and be it Enacted, That the Tenants, Owners, and Occupiers, and every of them, of Lands, and Tenements which shall be excluded, and left out of the Meets, Meers, Limits, or Bounds of the Forrests to be returned, and certified by vertue of any the said Commissions, shall, or may use, and enjoy such Common, and other profits, and easements within the Forrest, as anciently, or accustomedly they have used, and enjoyed: Any thing in this present Act contained, or any Act or Ordinance made in the three and thirtieth year of King Edward the first, or any Custome, or Law of the Forrest, or any other matter, or thing, to the contrary thereof notwithstanding.

#### C A P. XVII.

An Act for confirmation of the Treaty of Pacification between *England* and *Scotland*, with the Commissions and Articles thereupon. EXP.

#### C A P. XVIII.

An Act for securing by Publick Faith the remainder of the friendly assistance and relief promised to those of *Scotland*. EXP.

C A P.

## CAP. XIX.

An Act by which the Office of Clerk of the Market is allowed and regulated, and false Weights and Measures reformed.

**F**Orasmuch as the undue execution of the Office of Clerk of the Market hath been very grievous unto divers of his Majesties most loving Subjects, who have been much troubled by unnecessary summons, and charged with exactions of divers sums of Money, by colour of the said Office, and in regard the said evils have partly arisen by means of an inequality of Weights and Measures throughout this Kingdom, and by granting and letting to Ferm the said Office of Clerk of the Market and the Execution thereof in and through all or the most of the several Counties of this Kingdom for great sums of Money, which the said Fermours or Grantees, by their unjust and undue proceedings in the said Office, do extort from his Majesties Subjects again, to their great impoverishment, and yet little or no redress at all in their said Weights or Measures, or any benefit thereby accruing to his Majesty: For remedy whereof, and for regulating of all Weights and Measures, according to the true intent of this Statute, and the other Statutes in that behalf formerly made and provided, and preventing the said inconveniences;

Be it therefore Enacted by the Kings most Excellent Majesty, the Lords and Commons of this present Parliament assembled, and by the authority of the same: That from henceforth there shall be but one Weight, one Measure, and one Yard, according to the Standard of the Exchequer throughout all the Realm, as well in places privileged, as without; Any usage or custome to the contrary notwithstanding: And that every Measure of Corn shall be struck without heap: And whosoever shall sell by, or keep any other Weight, Measure, or Yard, then as aforesaid, whereby any corn, grain, or other thing is bought or sold, after six moneths after the end of this present Session of Parliament, shall forfeit for every such offence five shillings, being thereof lawfully convicted by the Oath of one sufficient Witness, before any Justice of Peace, Mayor, or other head Officer of the County, City, or Town Corporate respectively, where the said offence shall be committed: Who by virtue of this Act shall have power to administer an Oath in that behalf: Which said sum or penalty of five shillings shall be levied by the Church-wardens, and Overseers of the Poor of the Parish, or some or one of them where such offence is or shall be committed, to the use of the Poor of the same Parish, of the Goods and Chattels of such Offenders by way of Distress, and sale of the Offenders goods, rendering the Overplus to the party so offending. And in default of such distress it shall be lawful for any Justices of Peace, Mayor, or other head officer of the County, City, or Town corporate respectively, to commit the said party to the Prison or Goal, there to remain without Bail or Mainprize until he shall pay such sums of Money forfeited, as aforesaid.

And be it further Enacted by the Authority aforesaid, That no Clerk of the Market of the Kings House which now is, or hereafter shall be, or of the Prince His Highness, His Heirs or Successours, which is or shall be Duke of Cornwall, or His or their Deputy or Deputies, shall hereafter execute his or their said Office or Offices respectively, in any part of the Kingdom, but only within the Uerge of the Kings Court where it shall then reside for the time being. And that it shall be alwayes hereafter lawful for any Mayor, or other head Officer of any City, Burrough or Town Corporate, or for any Lord or Lords of Liberty, Liberties or Franchises, his or their Deputy, or Deputies, or Agents, according to their several Liberties and Jurisdictions, to have full power to execute the said Offices respectively, as they ought or might have done before the making of this Act; And for the more ease of his Majesties Subjects.

Be it further Enacted, That if any Clerk of the Market within his aforesaid

Grievances by Clerks of the market, and inequality in weights and measures.

There shall be but one measure, one weight, and one yard.  
St. 9 H. 3. 15.  
14 E. 3. 13.  
27. E. 3. 10.

Forfeiture.

How to be levied.

Clerk of the market his limits.

Mayor, head officer, and Lords of liberties have power as Clerks of the market.



Forfeiture of  
Clerks of the  
market for of-  
fences.

said precincts and limits of the Verge of the Kings house only, or any Mayor, or other Officer whatsoever, who by vertue of this Act shall have power to inquire of any abuses in Weights and Measures, shall seal or give allowance unto any other Weight or measure, weights or measures, other then according to the said Standard of the Exchequer, or shall upon reasonable request and warning, refuse to seal or give allowance unto such weight or measure, weights or measures, as are according to the said Standard of the Exchequer, paying only such Fee or fees for such allowance, as by the Statute or statutes, or by ancient custome, are in that behalf formerly provided and allowed, and no more; That then the said Clerk of the Market, Mayor, and other Officer, or Officers, of City, Burrough, or Town, and the said Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies, and Agents respectively, shall forfeit for every such offence five pounds, to be leavyed as aforesaid, to the use of the pooe of the parish where such offence is, or shall be committed.

Forfeiture for  
taking unlaw-  
full fines or  
fees. St. 13.  
R. 1. 4.

And be it further enacted by the authority aforesaid, That if the Clerk of the Market, his Deputy, or Deputies, or Agents within the Verge aforesaid, or any Mayor, or any other Officer, or Officers of any City, or Town, or any Lord, or Lords of Liberties, his or their Deputy, or Deputies, Agents or Assignes respectively, shall take or receive of any of his Majesties Subjects, by colour of the said Office, any common Fine, or Fines, or any Fees, other then are formerly allowed by the Statute, or statutes, or ancient custome in that behalf made, or used, shall take any Fee, or Fees, or other sum of money, Reward, or consideration, for the making, signing, or examination of any weights or measures, which have been formerly marked, or sealed, or shall Impose, or Assess, or cause to be Imposed, or Assessed, any Fine, or Amerciament, Fines, or Amerciaments, without a due, and Legal trial of the offences, for which the said Fine, or Fines, Amerciament, or Amerciaments are Imposed, or Assessed, or shall otherwise misdoemean himself in the execution of his said Office, and be thereof lawfully convicted, he shall forfeit for the first Offence, whereof he shall also be so lawfully convicted, five pounds; And for the second offence, ten pounds; And for the third offence, and every other offence afterwards, twenty pounds, to be levyed as aforesaid, to the use of the pooe of the parish, where such offence shall be committed.

Persons fined  
by this Act  
not to be fined  
upon any for-  
mer law.  
Rents of  
Farms or corn  
excepted.

And be it enacted, That whosoever shall be Fined, or amerced by vertue of this Act, shall not be again Fined, or amerced for the same offence, by vertue of any former Law or Statute.

Provided alwayes, That this Act, or Statute, shall not extend to the Rents of Farms, or Lands, or any Corn, or Grain, due, or payable to any Lord, or Lords, or any Colledges, Houses, or other Societies, by vertue of any Lease, or Leases, or other Covenant, or Agreement, but that the same during the continuation of such Lease, Leases, or other Agreements, shall be payed, delivered, and performed in such measure and form as the same hath been payed, delivered, and performed, before the making of this Act: And that such measure, that is commonly called Water-measure, in any Ports, Haritime Towns, or other places, shall be still used, and continued as formerly the same hath been; Any thing in this Statute contained to the contrary hereof in any wise notwithstanding.

Water mea-  
sures to be  
continued.

The general  
issue may be  
pleaded.

Provided also, that no Justice, or Justices of the Peace, Mayor, Bailiffe, or other head Officer, Churchwardens, Overseers, or any other authorized by this Statute for the due execution thereof in any point, shall be sued, impleaded, or otherwise impeached, for doing, or executing their said Offices respectively: And if any Suit, or Suits, hereafter shall be Commenced against them, or any of them, their Agents, or Assistants, touching the premisses, That then it shall, and may be lawful for them, and every of them so sued, or troubled in any Court, or Courts, wheresoever, to plead the general issue, Not guilty, and to give this Statute in Evidence, or any other special matter in Evidence.

And



And in case by, or upon this Law, they or any of them shall be found not guilty, or the Plaintiff be Non-suited, the Defendant, or Defendants, shall recover triple costs against the Plaintiff, for his unjust vexation.

Treble costs  
for unjust  
vexation.

## CAP. XX.

An Act for the prevention of vexatious proceeding touching the Order of Knighthood.

**W**hereas upon the pretext of an ancient custome, or usage of this Realm of England, That Men of full age, being not Knights, and being seised of Lands or Rents, of the yearly value of forty pounds, or more (especially if their seising had so continued by the space of three years next past) might be compelled by the Kings Writ, to receive or take upon them the order or dignity of Knighthood, or else to make Fine for the discharge or respite of the same; Several Writs about the beginning of his Majesties reign issued out of the Court of Chancery, for Proclamations to be made in every County to that purpose, and for certifying the names of all such persons, and for summoning them personally to appear in the Kings presence before a certain day, to be there ready to receive the said Order or Dignity: Upon return of which Writs, and transmitting the same with their Returns into the Court of Exchequer, and upon other Writs for further inquiry of the names of such persons issuing out of the said Court of Exchequer, Process by Distringas was thence made against a very great number of persons, many of which were altogether unfit, in regard either of estate or quality, to receive the said Order or Dignity, and very many were put to grievous Fines and other vexations for the same, although in truth it were not sufficiently known how, or in what sort, or where they, or any of them should, or might have addressed themselves for the receiving the said Order or Dignity, and for saving themselves thereby from the said Fines, Process, and vexations: And whereas it is most apparent that all and every such proceeding, in regard of the matter therein pretended, is altogether useless and unreasonable; may it therefore please your most Excellent Majesty that it be by authority of Parliament declared and enacted.

Writs issued  
for persons to  
take the order  
of Knight-  
hood.

Returns.

Distringas.

Fines.

And be it declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this Parliament assembled, and by the authority of the same, that from henceforth no person or persons, of what condition, quality, estate, or degree soever, shall at any time be distrained, or otherways compelled by any Writ or Process of the Court of Chancery, or Court of Exchequer, or otherwise by any means whatsoever, to receive or take upon him or them respectively, the Order of Dignity of Knighthood, nor shall suffer or undergo any Fine, Trouble or Molestation whatsoever, by reason or colour of his or their having not received, or not taken upon him or them the said Order or Dignity: And that all and every Writ or Process whatsoever, and all and every proceeding which shall hereafter be had or made contrary to the intent of this Act, shall be deemed and adjudged to be utterly void: And that all and every Process proceeding, and charge now depending by reason or colour of the said pretended custome, or Writs aforesaid, or of any the Dependents thereof, shall from henceforth cease and stand, be and remain discharged and utterly void; Any former Law or Custome, or any pretence of any former Law or Custome, or any other matter whatsoever, to the contrary in any wise notwithstanding. St. 1. E. 2.

No person  
shall be com-  
pelled to take  
on him the  
order of  
Knighthood,  
nor undergo  
any fine for  
the cause.

## CAP. XXI.

An Act for Liberty for bringing in of Gun powder and Salt-peter from Foreign parts, and for the free making of Gunpowder in this Realm.

**W**hereas the Importation of Gunpowder from foreign parts hath of late times been against Law prohibited, and the making thereof within this Realm ingrossed, whereby the price of Gunpowder hath been excessively

Mischief by  
prohibiting  
importation  
of gun-pow-  
der.

raised, many powder works decayed, this Kingdom very much weakened and indangered, the Merchants thereof much damnified, many Mariners and others taken Prisoners, and brought into miserable Captivity and Slavery, many Ships taken by Turkish and other Pyrates, and many other inconveniencies have from thence ensued, and more are likely to ensue if they be not timely prevented:

Liberty to all  
to import  
gunpowder.

Be it therefore Declared and Enacted by the Kings most Excellent Majesty and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful, to and for all and singular persons, as well Strangers as natural born Subjects of this Realm, to Import and bring into this Kingdom any quantities of Gun-powder whatsoever, paying such Customs and Duties for the same, as by Authority of Parliament shall be limited and set down.

All Subjects  
may make and  
sell gun-pow-  
der, and im-  
port Salt-pe-  
ter.

And be it further Declared and Enacted by the Authority aforesaid, That it shall and may be lawful, to and for all and singular His Majesties Subjects of this his Realm of England, to make and sell any quantities of Gun-powder, at his and their will and pleasure, and also to bring into this Kingdom any quantities of Salt-peter, Brimstone, or any other Materials necessary or requisite for the making of Gun-powder.

Penalty for  
putting in exe-  
cution letters  
patents, pro-  
clamations,  
&c. against  
this liberty.

And lastly, be it Enacted by the Authority aforesaid, That if any person or persons, from and after the tenth Day of August, which shall be in the Year of our Lord God one thousand six hundred forty and one, shall put in execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Restraint or other Inhibition whatsoever, whereby the Importation of Gun-powder, Salt-peter, Brimstone, or other the materials aforesaid, or any of them, from Foreign parts, or the making of Gun-powder within this Realm, shall be any way prohibited or restrained, That then the said person and persons so offending shall incur and sustain the pains, penalties and forfeitures contained and provided in the Statute of provision and premunire made in the sixteenth year of King Richard the second.

#### CAP. XXII.

A Subsidie granted to the King of Tonnage, Poundage, and other sums of Money, payable upon Merchandize, exported, and imported, from the 9<sup>th</sup>. August 1641. to the first of December next. EXP.

#### CAP. XXIII.

An Act for the better raising and Levying of Mariners, Sailers, and others, for the present guarding of the seas. EXP.

#### CAP. XXIV.

For Relief of Captives, taken by Turkish, and other Pirates, and one per cent. on customable goods for three years to be paid, and received by the Lord Mayor and Chamberlain of London for that purpose. EXP.

#### CAP. XXV.

A Subsidie granted to the King of Tonnage, Poundage, &c. from the last of November 1641. to the first of February next, and the like until the second of July 1642. EXP.

#### CAP. XXVI.

For the better Raising and Levying of Mariners, Sailers, and others, for the present guarding of the Seas. EXP.

#### CAP. XXVII.

Persons in Holy Orders shall not exercise certain temporal powers and authorities. Rep. St. 13. Car. I. Cap. 2.

#### CAP. XXVIII.

For the better raising and levying of Souldiers for the present defence of the Kingdoms of England and Ireland. EXP.

CAP.



## CAP. XXIX.

A Subsidie granted to the King of Tonnage and Poundage, and other sums of Money payable upon Merchandize, exported and imported from the last of *January* 1641. to the 25<sup>th</sup> of *March* next ensuing. EXP. The like from the 24<sup>th</sup> of *March* 1641. to the third of *May* following.

## CAP. XXX.

A Contribution and Loan towards the relief of *Ireland*. EXP.

## CAP. XXXI.

A Subsidie granted to the King of Tonnage and Poundage, and other sums of Money payable upon Merchandize, exported and imported from the second of *May*, 1642. to the second of *July* next following. EXP.

## CAP. XXXII.

For the Raising and Levying of Moneys for the necessary defence and great affairs of the Kingdoms of *England* and *Ireland*, and for the payment of Debts undertaken by the Parliament. EXP.

## CAP. XXXIII.

An Act for the speedy and effectual reducing of the Rebels in *Ireland*, &c.

**V**hereas the Lords and Commons, taking into their serious considerations, as well the necessity of a speedy reducing of the Rebels of *Ireland* to their due obedience, as also the great sums of Money that the Commons of this Realm have of late paid for the publick and necessary affairs of this Kingdom, whereof the Lords and Commons are very sensible, and desirous to embrace all good and honourable wayes, tending to his Majesties greatness and profit, the settling of that Realm, and the ease of his Majesties Subjects in *England*;

The Reasons  
of this Act.

And whereas divers worthy and well-affecting persons, perceiving that many millions of Acres of the Rebels Lands of that Kingdom, which go under the name of profitable Lands, will be confiscate, and to be disposed of; And that in case two millions and a half of those Acres to be equally taken out of the four Provinces of that Kingdom, may be allotted for the satisfaction of such persons as shall disburse any sums of money for the reducing of the Rebels there, would effectually accomplish the same, have made these Propositions ensuing (viz.)

Many Millions  
of Acres  
of Land  
of the Rebels  
to be confiscate.

I. That two millions and an half of those Acres may be assigned, allotted, and divided amongst them after this proportion, (viz.) For each Adventure of two hundred pounds, one thousand Acres in *Ulster*: For three hundred pounds, one thousand Acres in *Conaght*: For four hundred and fifty pounds, one thousand Acres in *Munster*: For six hundred pounds, one thousand Acres in *Leinster*; All according to the English measure, and consisting of Meadow, Arable, and profitable Pasture, the Bogs, Woods, and barren Mountains being cast in over and above these two millions and a half of Acres, to be holden in free and common Socage of the King, as of his Castle of *Dublin*.

Two Millions  
of Acres allotted  
to the  
Adventurers.

II. That out of this two millions and a half of Acres, a constant yearly Rent shall be reserved to the Crown of *England*, after this proportion, (viz.) out of each Acre thereof in *Ulster*, one penny; Out of each Acre in *Conaght*, three half pence; Out of each Acre in *Munster*, two pence farthing; And out of each Acre in *Leinster*, three pence; whereby his Majesties Revenue out of those Lands will be much improved, besides the advantages that he will have by the coming to his hands of all other the Lands of the Rebels, and their personal Estates, without any charge unto his Majesty.

Rent reserved  
to the Crown.

III. That for the creating of Manors, settling of Masses, and Commons, maintaining of preaching Ministers, creating of Corporations, and Regulating of the several Plantations, one, or more Commissions be hereafter granted by Authority of Parliament.

Commissions  
for erecting of  
Manors, &c.

IV. That Moneys for this great occasion may be the more speedily advanced, All the Undertakers in the city of *London*, and within twenty miles distant thereof, shall underwrite their several sums before the twentieth day of *March*,  
one

Undertakers  
to subscribe.



Sums under-  
written to  
whom to be  
paid.

A twentieth  
part to be  
paid down.

Propositions  
allowed by the  
Parliament.

Forfeitures of  
all persons in  
Rebellion, af-  
ter the twen-  
tieth of Octob.  
1641.

Two millions  
and a half of  
Acres of Land  
forfeited shall  
be allotted for  
satisfaction of  
money sub-  
scribed.

one thousand six hundred forty one, and all within sixty miles of London, be-  
fore the first day of April, one thousand six hundred forty two; and the rest of  
the Kingdom before the first day of May, one thousand six hundred forty two.

V. That the several sums to be under-written shall be paid in at four pay-  
ments, (viz.) One fourth part within ten dayes after such under-writing, and  
the other three parts at three Moneths, and three Moneths, all to be paid into  
the Chamber of London.

VI. That for the better securing of the said several sums accordingly, e-  
very one that doth so under-write, shall at the time of his Subscription pay  
down the twentieth part of the total sum that shall be by them under-written.  
And in case that the residue of his fourth part be not paid in to such person or  
persons as shall be appointed to receive the same within the ten dayes before  
limited, then such party shall not only forfeit the twentieth part of the sum total  
formerly deposited, but so much more of his first fourth payment to be added  
thereunto, as shall make up the one moiety of the said first payment. And if  
the said person shall fail in any other of the three payments, he shall then forfeit  
his entire first fourth part, and all the benefit of his Subscription, which for-  
feiture shall accrue to the common benefit of the rest of the Under-writers.

And whereas aswell our Sovereign Lord the King, as the Lords and Com-  
mons have approved of the said Propositions, and assented that the said Pro-  
positions, and all other things necessarily conducing thereunto, shall be ratified  
and confirmed by Authority of Parliament:

Be it therefore Enacted by our Sovereign Lord the King, with the assent  
of the Lords and Commons in this present Parliament assembled, and by Au-  
thority of the same; That all and every of the said Propositions, and every  
clause therein contained, are, and shall be according to the tenour and pur-  
port thereof hereby ratified, established, and confirmed, with such explanations,  
alterations, and additions, as in this Act are expressed.

And be it further Enacted, That all and every person, and persons, which  
upon the three and twentieth day of October, in the year One thousand six hun-  
dred forty one, or at any time after shall be in Rebellion, or levie War against  
the Kings Majesty within his Realm of Ireland, or shall willingly aid, assist,  
or countenance any person or persons in Rebellion against the Kings Majesty,  
shall lose and forfeit unto the Kings Majesty, his Heirs and Successors, all  
such right, title, interest, use and possession, which they, or any of them, or  
any other person or persons in trust for them, or any of them, on the said three  
and twentieth day of October, or at any time after, shall have, of, in, or unto  
any Honours, Castles, Manors, Messuages, Lands, Tenements, Rents,  
Annuities, Reversions, Remainders, Uses, Possessions, Offices, Rights,  
Conditions, or any other Hereditaments, of what name, nature, or quality  
soever they be, and that all such right, title, interest, use, and possession, which  
they or any of them, or any other person or persons in trust for them, or any of  
them, on the said three and twentieth day of October, or at any time after shall  
have, or of right ought to have, of, in, or to the same Honours, Castles,  
Manors, Messuages, Lands, Tenements, Rents, Annuities, Reversions,  
Remainders, Uses, Possessions, Offices, Rights, Conditions, or any other  
Hereditaments, shall by the Authority aforesaid, be deemed, vested, ad-  
judged, and taken to be in the actual and real possession of Our Sovereign  
Lord the King, his Heirs and Successors, without any Office or Inquisition  
thereof hereafter to be found.

And be it further Enacted by the Authority aforesaid, That two Millions  
and a half of Acres of Meadow, Arable Land, and profitable Pasture, which  
are, or shall be forfeited by the said Rebels, or otherwise by vertue of this Act;  
with Woods, Boggs, Loughs, and barren Mountains cast in over and above,  
and with all the Buildings and Edifices thereupon, are, and shall be, by ver-  
tue of this Act, for the satisfaction of such person and persons as shall under-  
write any sum or sums of Money, and pay the same according to the true intent  
and

and meaning of this present Act, the same to be allotted and apportioned to each Under-writer, according to the proportion of the sums to be underwritten, and paid in, and to be holden by such Rent and Tenure, as in the said recited Propositions are expressed.

And be it further Enacted, That John Warner, John Towse, and Thomas Andrews, Aldermen, and Lawrence Halsted Esquire, are, and shall be hereby appointed and authorized to give their daily attendance at the said Chamber of London, to receive all such Subscriptions, and sums of Money, and to give Receipts for the same under their hands, as shall be there tendred and paid according to this Act, which said persons so appointed to receive the said sums of Money, shall enter the names of the Under-writers, together with the sum, and time of Subscription, into one, or more Books, to be kept for that purpose, and shall from time to time issue out the said sums of Money, in such manner as both Houses of Parliament shall by Order direct.

Persons nominated to receive Subscriptions.

And be it further Enacted, That the Sheriffs of each County of England, and Dominion of Wales, shall receive all such Subscriptions, and sums of Money, as shall be by vertue of this Act tendred to them in their respective Counties, and shall appoint dayes and places for that Purpose, and shall give Receipts for the sums so received under their hands, and return the sums subscribed and received, together with the Names of the Under-writers, and the times of their Subscriptions, to the Chamber of London, to the hands of the said John Warner, John Towse, Thomas Andrews, and Lawrence Halsted, or to any two of them, with all convenient speed, to be by them entred into Books to be kept for that purpose: And they the said John Warner, John Towse, Thomas Andrews, and Lawrence Halsted, or any two of them, are hereby likewise authorized, and required to give Acquittances or Receipts for all sums received of the said Sheriffs: And that the said John Warner, John Towse, Thomas Andrews, and Lawrence Halsted, and the said Sheriffs, their Officers and Ministers, their Heirs and Executors, shall accompt for all sums of Money by them received according to this present Act, to such persons as both Houses of Parliament shall direct.

Sheriffs to receive Subscriptions in their several Counties.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to, and for the said John Warner, John Towse, Thomas Andrews, and Lawrence Halsted, and the said Sheriffs respectively, to deduct, and retain to their own use, one peny out of every pound, of all such sums of money as they shall receive according to this Act, towards their charges and pains in attending and receiving the said Subscriptions and sums of money, and in issuing out, and returning up the same.

Allowance to the Receivers.

And be it further Enacted, That when the Lords and Commons of this Realm of England, shall in Parliament by Order declare, that the said Rebels are subdued, and that this present Rebellion in the said Kingdom of Ireland is appeased, and ended, that forthwith after such Declaration made, and sent to the Lord Chancellour, or Lord Keeper of the Great Seal of England for the time being, the said Lord Chancellour, or Lord Keeper, is hereby authorized, and required to issue forth Commissions into all the said four Provinces of that Kingdome of Ireland, for the surveying, and setting forth of the said two Millions and half of Acres, which Commission shall be to such effect, and directed to such persons as the said Lords and Commons in Parliament shall appoint; Which said Commissioners shall have power by this Act, to survey all the Lands of the said Rebels, and all the Lands forfeited by vertue of this Act, and to ascertain, and measure forth of the same six hundred and five and twenty thousand Acres, in every of the said four Provinces, of Meadow, Arable, and profitable Pasture, with Woods, Bogs, Loughs, and barren Mountains cast in over and above, with the Houses and Edifices thereupon; and after the same measured and set forth, shall indifferently divide the same by Lot among the several Under-writers, and among the Heirs of such Under-writers, as shall dye before the division, & the assignee, and assignees of such of the Under-writers,

Upon Declaration by the Lords and Commons that the Rebels are subdued.

Commissions to issue the surveying the Lands forfeited, and setting forth the same.



Division to be made by order of the Lords and Commons to be done by lot.

writers as shall assign their shares, or any part thereof before the said Division, according to the proportions mentioned in the said recited Propositions, and according to the respective sums paid in, as aforesaid, and according to the purport of this present Act; which Division shall be made in such manner as the said Lords and Commons in Parliament shall by Order direct; in which Division no manner of favour or advantage shall be given or allowed to any person whatsoever, but all to be done and determined equally, and by Lot, and each Under-writer's Land to be laid together, or so near together as conveniently may be. And in case six hundred twenty five thousand Acres of the Rebels profitable Lands, and of the profitable Lands forfeited by vertue of this Act, shall not be found in each Province, then so much of the said six hundred twenty five thousand Acres, as shall be wanting in any one Province, shall be made up in value out of the said Rebels Lands; and for want thereof, out of the profitable Lands, forfeited by this Act, in the other Provinces, at the discretion of the said Commissioners, respect being had to the value of the Lands in each Province, according to the said Propositions; which said Commissioners shall return the said allotments, and all their proceedings therein fairly ingrossed in Parchment into his Majesties Court of Chancery of this Kingdom, there to remain of Record, and into his Majesties Court of Chancery of the said Kingdom of Ireland, to remain there likewise of Record.

The persons to be in possession after their Lots drawn.

And be it further Enacted, that immediately after every Under-writer, Heir or Assignee of any Under-writer, shall have drawn his respective Lot, containing the Meadow, Arable, and profitable Pasture, with all the Woods, Bogs, Loughs, and barren Mountains over and above, together with the Houses and Edifices thereupon, which shall be appointed for his share, such Under-writer, Heir, and Assignee shall be, and so shall be adjudged to be, by vertue of this Act, in the actual possession, and seisin of all the said Lands, with all things thereunto belonging, mentioned in the said Lot, and that he shall and may forthwith after his Lot so drawn as aforesaid, enter upon, have and enjoy to him and his heirs, all and singular the Meadow, Arable, profitable Pasture, Woods, Bogs, Loughs, Waters, Fishings, and barren Mountains, together with the Houses and Edifices thereupon, and in his said Lot contained, with all Calemment and Commodities thereunto belonging.

Power to create a Manor, and hold Courts.

And be it further Enacted by the Authority aforesaid, That all and every person and persons, which within three months after the allotment so to be made, as aforesaid, shall have one thousand Acres or more of the said two Millions and half of Acres, lying together in the Province of Leinster, or two thousand Acres, or more, lying together in the Province of Conaght, or a thousand five hundred Acres or more, lying together in the Province of Munster, or three thousand Acres or more, lying together in the Province of Ulster, shall have power by vertue of this Act for every such thousand, two thousand, fifteen hundred, and three thousand Acres, to create a Manor within the limits of the said Lands respectively, and to reserve tenures to hold of himself and heirs, as of his said Manor or Manors, at his will, and pleasure: And that every such person shall have a Court-Leet, and Court-Baron, and shall have full power to hold a Court-Leet, and Court-Baron, within the Precincts of every such Manor, and to enjoy all such Royalties, Franchises, Fines and Amerciaments, Suits, Services, and Immunities, as to view, of Frankpledge, or Court-Baron, is usual and belonging. And also within each respective Manors, to have and enjoy, as aforesaid, all Deodands, Felons goods, and goods of Felons, of themselves, together with all Wayfes and Strayes.

The money paid to be employed for reducing the Rebels only.

And be it further Enacted by the Authority aforesaid, That no part of the money which shall be paid in according to this Act, shall be employed to any other purpose then the reducing of the said Rebels, until the said Rebels shall be declared to be subdued by the said Lords and Commons, as aforesaid. And that the said moneys shall be employed for the speedy and effectual subduing of the



the said Rebels, by sending over into the said Realm of Ireland, and disposing there such Forces of Foot, and Horse, Monies, Ammunition, Victual, and all other things necessary to a War, in such manner as the said Lords and Commons in Parliament, shall from time to time direct, and the overplus of the said money, if any shall be, to be disposed, as the said Lords and Commons shall likewise direct.

And be it likewise Enacted by the Authority aforesaid, That Plantations shall be regulated, Corporations created, Churches erected, and Preaching Ministers maintained within the Limits and Precincts of the Lands so to be divided, in such manner as by Commissioners to be nominated and directed by the said Lords and Commons in Parliament shall be ordered and provided.

Plantations,  
Churches, &c.

And it is further Enacted, That the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, shall upon direction to him given by the said Lords and Commons in Parliament, issue out one or more Commissions for this purpose, directed to such persons, and in such manner as the said Lords and Commons in Parliament shall order and appoint.

Lord Chan-  
cellour to issue  
out Commissi-  
ons.

And for the further encouraging and securing of all such persons as shall pay any sum of money towards the perfecting of this great Work, Be it likewise Enacted by the Authority aforesaid, That all Patents which shall be granted of any of the said Rebels Goods or Lands, or any Goods or Lands forfeited by the vertue of this Act, and all Pardons which shall be granted to any of the said Rebels before attainder, after the three and twentieth of October, one thousand six hundred forty and one (without the assent of the said Lords and Commons in Parliament) shall be adjudged void, and of none effect.

Patents gran-  
ted of any the  
Rebels with-  
out consent of  
the Lords and  
Commons,  
shall be void,  
and all Par-  
dons.

And be it further Enacted by the Authority aforesaid, That the Commissioners authorized by this Act to set forth the Under-writers Lands, as aforesaid, shall forty dayes before they set forth the same, or any part thereof, cause Proclamations to be made by vertue of this Act, in every County of the said Kingdom of Ireland, to this effect, (viz.) That every person which had any right, title, or interest the three and twentieth of October, one thousand six hundred and forty one, in, or out of any of the said Rebels Lands, or the Land forfeited by this Act, lying within the County where any such Proclamation shall be made, shall enter his claim to the same upon record in His Majesties Court of Chancery in the said Kingdom of Ireland, within twenty dayes after the said Proclamation so made in the said County.

Proclamations  
concerning  
Claims,

And be it further Enacted by the Authority aforesaid, That every person which after the first day of March, one thousand six hundred and forty, shall make, enter into, or take any Compact, Bond, Covenant, Oath, Promise, or Agreement, to introduce, or bring into the said Realm of Ireland the authority of the See of Rome, in any case whatsoever, or to maintain or defend the same, shall by vertue of this Act forfeit to his Majesty, his Heirs and Successors, all his Lands, Tenements, and Hereditaments entailed, or not entailed, Goods and Chattels, which he had or shall have in his own name, or any other person or persons had or shall have in trust for him, at the time of the making, entering into, or taking any such Compact, Bond, Covenant, Oath, or Agreement, other than such Lands, Tenements, Hereditaments, Goods and Chattels, as shall be bona fide, and for valuable consideration, sold before the said three and twentieth of October, one thousand six hundred forty one.

Forfeiture for  
endeavouring  
to bring in the  
See of Rome  
into Ireland.

And further be it Enacted by the Authority aforesaid, That if any person, since the three and twentieth day of October, One thousand six hundred forty one, be, or hereafter shall be in Rebellion within the said Kingdom of Ireland, and be dead, or shall dye before attainder, or pardon for the same; All the Lands, Tenements, and Hereditaments, Estate or Estates, Goods or Chattels; which such person had, or shall have, or any other person had, or shall have in trust, for, or to his use, the said three and twentieth of October, or at any time thereafter, shall be by vertue of this Act forfeited to his Majesty; His Heirs and Successors, and shall be adjudged to be in the actual

Forfeitures of  
such persons  
as be dead.

All forfeitures  
from the 23. of  
October, 1641.

seisin and possession of the King, His Heirs and Successors, by vertue of this Act. And further be it Enacted by the Authority aforesaid, That all Lands, Tenements, and Hereditaments, whereof any person in the said Kingdom of Ireland was seised the three and twentieth of October, one thousand six hundred forty one, or at any time after, shall be seised of any Estate tayl, or whereof any person or persons shall be seised in trust for him, for any trust of inheritance, who shall be attainted for high Treason in his life time, or being in actual Rebellion shall dye before he be attainted, or pardoned for the same, or who shall make, enter into, or take any such Compact, Bond, Covenant, Oath, Promise, or Agreement to such purpose, as aforesaid, shall by vertue of this Act, be, and adjudged to be in the actual seisin and possession of the King, His Heirs and Successors.

Conveyances,  
&c. made after  
the first of  
March, 1640.

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever, that at any time hereafter shall be attainted for Treason, or shall die in actual Rebellion before attaind, or pardon for the same, or hath, or shall take, enter into, or make any such Compact, Bond, Covenant, Oath, Promise or Agreement, as aforesaid, shall after the first day of March, one thousand six hundred and forty, make, or hath made any Conveyance, or Assurance whatsoever, of any Manors, Lands, Tenements, or Hereditaments, in the Kingdom of Ireland, unto, or for his own use, or unto, or for the use of his wife, or any of his children, or in trust for himself, his wife, or any of his children; That then all the Uses, Estates, and Trusts so limited, other then such as are, or shall bona fide made before his, her, or their marriage, or made in performance of any Covenant in writing made before marriage, unto, or for the use of his wife and children, shall be forfeited unto his Majesty, His Heirs and Successors, and shall be adjudged to be, by vertue of this Act, in the actual possession of the King, His Heirs and Successors.

The time for  
Subscriptions.

And be it further Enacted by the Authority aforesaid, in regard a great part of the time prefixed in the said Propositions for the Subscriptions of the said Under-writers is already elapsed, that every one of the Kings Subjects of the Realms of England, Scotland, or Ireland, that shall under-write the sum of ten pounds, or more, for the purpose aforesaid, before the first day of May, one thousand six hundred forty two, and before the said million of money be under-written, and shall pay in one moiety thereof to the respective Receivers before nominated in this Act at the time of such Subscription, and shall pay in the other moiety residue thereof to the said Receivers within six moneths after such Subscription: and every one of the Kings Subjects of the Realms of England, Scotland, and Ireland, that shall under-write the sum of six pounds, or more, within the Realm of Ireland, for the purpose aforesaid (in one or more Books to be kept for that purpose by the Treasurer of the Army there for the time being) who is authorized, and required hereby to keep such Book, or Books, and to enter the names of such Under-writers, and the time of such Subscriptions, together with the sums subscribed, before the first day of July, one thousand six hundred forty two, and before the said million of money shall be under-written, and shall at the time of such Subscription pay one moiety of such sum so to be under-written, to the said Treasurer for the time being (who is hereby likewise authorized to receive all such sums of money, and give Receipts for the same under his hand) and shall pay to the said Treasurer the other moiety residue within six moneths after such Subscription; every person so under-writing in this Realm, or in the Realm of Ireland, as aforesaid, shall have a proportionable share of the said Rebels Lands, and of other Lands to be forfeited by this Act, according to the sum to be under-written and paid in, as aforesaid, and as if such persons had under-written within the times mentioned in the said Propositions, and had paid in his money accordingly.

Encourage-  
ment for a  
speedy Plan-  
tation.

And for the better advancing of a speedy Plantation within that Kingdom which will soon redound to the great encrease of his Majesties Customs and Revenues there; Be it further enacted by the Authority aforesaid, That every person  
which



which shall have any part of the said Lands so to be divided and allotted, as aforesaid, shall and may export out of this Kingdom, or Dominion of Wales, any Horses, Hares, Cattel, Sheep, or other goods, for the planting, improving, and stocking of the said Lands, or any part thereof, at any time during the space of two years, to be accounted from such division and allotment to be made (as aforesaid) without paying any Custom, Subsidy, or Impost for the same. Nevertheless, upon sufficient security given to the Farmers, or Collectors of His Majesties Customs, for the time being, or to any one of them, that the said Horses, Hares, Cattel, Sheep, and goods so to be exported, shall be bona fide employed for the planting, improving, and stocking of the said Lands, or of some part thereof, and not to be employed to any other purpose. Saving to all and singular persons, bodies Politique, and Corporate, their Heirs and Successours, and the Heirs and Successours of every of them (other than the said Rebels, their Aiders, Abettors, Comforters, and Main- (Saving.) tainers, and other persons, whose Lands are, or shall be forfeited by this Act, and every of them, their, and every of their Heirs and Assignes, and all and every person or persons claiming, by, from, or under them, or any of them, or to their, or any of their use or uses, or in trust for them or any of them, since the said three and twentieth day of October) all such Right, Title, Interest, Possession, Reversion, Remainder, Offices, Annuities, Rents, and Commons, which they, or any of them, had, or ought to have had, in, to, or out of any the said Houses, Manors, Castles, Lands, Tenements, Hereditaments, or Premises, forfeited by this Act, or any of them, the three and twentieth day of October, in the year of our Lord God, one thousand six hundred forty one, so as every such person or persons, bodies Politique, or Corporate, whose right or interest is saved by this Act, their Heirs or Successours do make or enter, or cause to be entered, his, or their claim to any such right, title, or interest, in his Majesties Court of Chancery in Ireland, within twenty dayes after such Proclamation made as aforesaid.

## C A P. XXXIV.

An Act for adding unto, and explaining certain Clauses in another Act for the reducing the Rebels in *Ireland*, &c.

**V**Whereas the said Act could not be so timely passed and published, that his Majesties Subjects, in, and about the City of London, might conveniently take notice of the dayes therein limited for their Underwriting, according to that Act, upon which, and other Clauses of that Act, doubts have been raised; for explanation thereof, and for the clear satisfaction of all such persons as by underwriting any sums of Money, according to that Act, shall advance so honourable and pious a Work, as the reducing of that Kingdom;

Be it Enacted by the King our Sovereign Lord, and by the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and every his Majesties Subjects, inhabiting or residing in the said City of London, or within threescore miles distance thereof, which at any time before the twentieth day of April, in the year of our Lord God one thousand six hundred forty two, have underwritten, or shall underwrite any such sum of money as in the said Act is mentioned, and pay the fourth part thereof, on, or before the said twentieth day of April aforesaid, and the other three parts of the sum or sums so to be subscribed, within three moneths, three moneths, and three moneths, by equal portions, accounting eight and twenty dayes to every moneth, to be accounted to begin from the said twentieth day of April aforesaid, and all the said sums to be paid at the Chamber of the City of London, to the four persons appointed to attend there by the said Act, or to any two of them, who are hereby authorized, and required to give Receipts for the same, and to enter the said sum, and the times of such subscription, as aforesaid;

Time for Subscriptions by persons residing within 60 miles of London.



Persons inhabiting sixty miles or more distant from London.

aforesaid; And all and every his Majesties Subjects, inhabiting sixty miles or more from the said City of London, and all and every of his Majesties Subjects of the Scotch Nation, which at any time before the tenth day of May, in the year of our Lord God one thousand six hundred forty two, have underwritten, or shall underwrite any such sum of Money, as in the said Act is mentioned, and pay the fourth part thereof, on, or before the said tenth day of May aforesaid, and the other three parts of the sum or sums so to be subscribed, within three Moneths, three Moneths, and three Moneths, by equal portions, accounting eight and twenty daies to every Moneth, to be accounted to begin from the said tenth day of May aforesaid; and at such place, and to such persons, as in, and by the said Act is appointed, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited, and to be forfeited by the said Act, according to the sums to be by them underwritten, and paid in, as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial manner, as if such underwriting had been at the daies in the said recited Act, or the Propositions therein expressed; Any thing therein contained to the contrary notwithstanding.

Persons of the Dutch Nation.

And be it further declared and Enacted by the Authority aforesaid, That all such persons of the Dutch Nation being Protestants, and Subjects to the Government of the States of the United Provinces of the Low Countries, as shall be desirous to underwrite any sum or sums of Money according to the said Act, shall be admitted to such underwriting, untill the full sum of two hundred thousand pounds shall be by them underwritten; And so as the Million of Money propounded to be underwritten by his Majesties Subjects of England, Scotland, and Ireland, be not subscribed before the admittance of any of the said Dutch Nation to subscribe, as aforesaid; And that such of the said Dutch Nation as shall be admitted to underwrite, according to this Act, shall underwrite their several sums of money within this Kingdom, before the tenth day of May, in the year of our Lord God one thousand six hundred forty two, and shall pay the fourth part of the sum and sums to be by them underwritten, at, or before the said tenth day of May aforesaid, and the other three parts of the sum or sums so to be subscribed, within three moneths, three moneths, and three moneths, by equal Portions, accounting eight and twenty daies to every moneth, to be reckoned to begin from the said tenth day of May aforesaid; And all the said sums to be paid at the Chamber of the City of London, to the four Persons appointed to attend there by the said Act, or to any two of them, which said four persons, or any two of them, are hereby authorized and required to give receipts for the same, and to enter the said sums, and times of subscription, as aforesaid; and upon such underwriting and payment, as aforesaid, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited, and to be forfeited by the said Act, according to the sums to be by them underwritten, and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial manner as his Majesties Subjects of England shall, or may, enjoy their several and respective shares, according to the said Act.

The moneys to be paid at the Chamber of the City of London.

Persons paying in money sooner than the time allowed.

And be it further Enacted by the Authority aforesaid, That in case any Person that shall underwrite according to this Act, their Heirs, Executors, Administrators, or Assigns, shall pay in the three latter payments of the sums of money by them subscribed, or to be subscribed, or any part thereof, sooner than the times in this present Act limited for the same, there shall be rebated, and allowed unto them by way of rebate, so much of the said moneys underwritten, as the Interest of the said money so paid in beforehand, from thenceforth to the time and times respectively, whereon the same is by this present Act limited to be paid, after the rate of eight Pounds for one hundred pounds for a year shall amount unto. And John Warner, John Towse, Thomas Andrews, and

Lawrence

Lawrence Haulsted, in the said recited Act named, or any two of them, are hereby authorized to make the said allowances by way of rebate accordingly: And the same shall upon their Accompts be allowed unto them: And the said money so rebated shall be accounted, and adjudged to be paid by the said underwriters, their Heirs, Executors, Administrators or Assigns, and shall be as beneficial unto them, as if the same had been actually paid according to the Propositions in the said recited Act mentioned.

And be it further Enacted by the Authority aforesaid, That the Members of either House of Parliament, which shall underwrite any sums of money, and pay in the same, or any part thereof, at the Chamber of the City of London, shall nevertheless have the same dayes, and times of payment, for their several sums by them underwritten, or to be underwritten, as they should have had in case they had subscribed their several sums, and paid in the same in the several Counties where they had their ordinary residence and habitation before the beginning of this Parliament.

Members of  
the House of  
Parliament  
subscribing.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to, and for the said John Warner, John Towse, and such other Persons as are appointed by the said Act to receive such sums of money as shall be paid in by vertue of that Act, to deduct and retain to their own use one penny out of every Pound of all such sums of money as they shall receive according to this Act, towards their charges and Pains in attending and receiving the said Subscriptions and sums of money, and in Issuing out, and returning up the same.

Allowance to  
the receivers.

## C A P. XXXV.

An Act by which Corporations and Bodies Politick are enabled to partake of the benefit of an Act for reducing the Rebels in *Ireland*, &c.

**V**hereas divers of his Majesties well affected Subjects of this Kingdom have taken notice of the said Act, and are willing to contribute to so good a Work, according to their several Estates, and Abilities, but every Person in himself is not able to undertake any great sum of money, yet many of them united and incorporated into one Body, Company, or Society, may by joyning together make up a considerable entire sum, which may very much advance so Honourable and Pious a Work, as the reducing of that Kingdom of *Ireland*.

And also for the better enabling of all Corporations and Bodies politick throughout this Kingdom to be adventurers and undertakers in the same; Be it Enacted by the King our Sovereign Lord, and by the Lords and Commons in this Parliament assembled, and the Authority of the same, That all and every Cities, Boroughs, and other Towns Corporate, which have perpetual Commonalty and Succession, being within sixty miles of London; And all and every Companies, Guilds and Fraternities, of any Craft, Mystery, or Trade, united and incorporated within the said City of London, or within any other City within threescore miles distance thereof, which at any time before the twentieth day of May, in the year of our Lord God one thousand six hundred, forty two, by their Citizens, or Burgeses, or by any one of them, respectively, for that place which he serveth in this present Parliament, or by their Mayor, Bailiffe, Master, Warden, or other Head Officer of any of the said Cities, Boroughs, Towns Corporate, Companies, Guilds, or Fraternities aforesaid, shall underwrite any such sum of money, as in the said Act is mentioned, and pay the fourth part thereof, on, or before the said twentieth day of May aforesaid, and the other three parts of the sum or sums so to be subscribed, within three moneths, three moneths, and three moneths, by equal portions, accounting eight and twenty dayes to every moneth, to be accounted to begin from the said twentieth day of May aforesaid: And all the said sums to be paid at the Chamber of the City of London, to the four persons appointed to attend

Corporations  
and Bodies po-  
litick enabled  
to be adventu-  
rers.



attend there by the said Act, or to any two of them; Who are hereby authorized and required, to give Receipts for the same, and to enter the said sum, and the times of such Subscription, as aforesaid: And all, and every Cities, Boroughs, and other Towns corporate within the Kingdom of England, which have perpetual Commonalty and Succession, being threescore miles, or more from the said City of London: And all Companies, Guilds, and Fraternities of any Craft, Mystery, or Trade, united and incorporated within any of the said Cities, which at any time before the last day of May, in the year of our Lord God one thousand six hundred forty two, shall by their Citizens or Burgeses, or by any one of them, respectively, for that place which he serveth in this present Parliament, or by their Mayor, Bayliffe, Master, Warden, or other head Officer of any of the said Cities, Boroughs, Towns Corporate, Companies, Guildes, or Fraternities aforesaid, underwrite any such sum of money as in the said Act is mentioned, and pay the fourth part thereof, on, or before the said last day of May aforesaid; And the other three parts of the said sum or sums so to be subscribed, within three moneths, three moneths, and three moneths, by equal portions, accounting eight and twenty dayes to every moneth, to be accounted to begin from the said last day of May aforesaid, and at such place, and to such Persons as in and by the said Act is appointed, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited, and to be forfeited by the said Act, according to the sums to be by them Underwritten and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial manner, as if such Underwriting had been at the dayes in the said recited Act, or the Propositions therein expressed: Any thing therein contained, or any thing in the Statute made the fifteenth year of King Richard the second, intituled, Assurance of Lands to certain Places, Persons, and Uses, shall be adjudged Mortmain, or any thing in any other Statute of Mortmain whatsoever contained to the contrary, notwithstanding. Vide Cap. 37.

## C A P. XXXVI.

A Subsidy granted to the King of Tonnage, Poundage, and other sums of money, payable upon Merchandize exported, and imported, from the 14<sup>th</sup> of March 1641. to the third of May next ensuing. EXP.

## C A P. XXXVII.

An Act for the further advancement of an effectual and speedy reduction of the Rebels in *Ireland*, &c.

**W**hereas in pursuance of three several Acts of Parliament made this present Session (the first, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of *Ireland* to their due obedience to His Majesty, and to the Crown of *England*: And the second, intituled, An Act for adding unto, and explaining of certain Clauses in another Act made this Parliament, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of *Ireland* to their due obedience to His Majesty, and the Crown of *England*: And the third, intituled, An Act to inable Corporations and Bodies-Politick to participate of the benefit of an Act lately past, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of *Ireland* to their due obedience to his Majesty, and the Crown of *England*.) divers great sums of money have been subscribed, some part whereof is already paid in, to the purposes, and persons mentioned in the said Acts, and divers other well affected persons, Bodies-Politick and Corporate, would subscribe and pay in divers great sums of money for the purposes and intents in the said Acts expressed, if the times limited in the said Acts for subscribing and paying in of the same were not already elapsed:

Be it therefore Enacted by the King our Sovereign Lord, and by the Lords and



and Commons in this present Parliament assembled, and by the Authority of the same, That all and every person and persons of the English, Scottish, Irish, or Dutch Nation, being Protestants in Religion, and every Body Politick and Corporate of this Realm, which at any time before the twentieth day of July, in the year of our Lord one thousand six hundred forty two, shall underwrite or cause to be underwritten, to the intents and purposes in all or any the said Acts mentioned, any sum of money, not being under the sum of ten pounds, and shall pay, or cause to be paid the fourth part thereof, on, or before the said twentieth day of July, and the other three parts of the sum or sums so to be underwritten within three moneths, three moneths, and three moneths, by equal portions, accompting eight and twenty dayes to every moneth, to be accompted to begin from the twentieth of July aforesaid; and all the said sums to be underwritten at the Chamber of the City of London, and to be paid to the four persons appointed to attend there by the said Acts, or any two of them, who are hereby authorized and required to give Receipts for the same, and to enter the said sums, and times of such subscription as aforesaid, shall have to all and every such person and persons, Bodies Politick and Corporate, their Heirs, Successours, or Assigns, respectively, a proportionable share of the Rebels Lands, and of other Lands forfeited, or to be forfeited by all or any of the said Acts, according to the sums to be by him or them underwritten, and paid in as aforesaid, under all other the Conditions, Limitations, and Provisions which in all or any of the said Acts are expressed, and in as large and beneficial manner to all intents and purposes, as if such underwriting and payment had been at the days in the said Acts, or either of them, appointed, or expressed: And the better to invite all well affected persons, Bodies Politick and Corporate, to the bying in of present money for this service, which will be the most effectual means under God for the speedy subduing of the said Rebels:

All persons, English, Scottish, Irish, Dutch, being Protestants may subscribe.

The time for payment.

Be it therefore Enacted by the Authority aforesaid, That all, and every person, and persons, of the English, Scottish, Irish, or Dutch Nation, being of the Protestant Religion, and every Body Politick or Corporate in this Realm, which hath at any time heretofore underwritten, or have caused to be underwritten, or shall underwrite, or cause to be underwritten, any sum of money to the purposes in all or any of the said Acts mentioned, and hath, or shall have according to the times and places in the said Acts limited, paid in a fourth part, or more, of the same, and shall pay in, or cause to be paid in the residue of the sum so underwritten, before the said twentieth day of July; And every such person or body politick which shall underwrite, or cause to be underwritten, to the purposes aforesaid, any sum of money, by vertue of this Act, at the said Chamber of London, and shall pay in, or cause to be paid in the whole sum, which he, or they shall so underwrite, or cause to be underwritten, unto the said four persons, or any two of them, who are to give Receipts for the same, as aforesaid, and to enter the sums, and times of subscription before the said twentieth of July, shall have to all, and every such person and persons, Bodies Politick and Corporate, their Heirs, Successours and Assigns, respectively, a proportionable number of Acres out of the two millions and half of Acres in the said former Act mentioned, with Woods, Boggs, Loughs, and barren Mountains cast in over and above, with the Houses and Edifices thereupon built, according to the sum so underwritten, and paid in; which said proportionable number of Acres shall be measured out, and enjoyed, according to the Plantation measure (that is to say) every Acre thereof shall consist of eightscore Pearches, or Poles, and every Pearch or Pole shall consist of one and twenty foot, and shall enjoy the said proportionable number of Acres under the same Conditions, Limitations, and Provisions, and in as large, and beneficial manner, to all intents, and purposes, as any other underwriter, which shall pay in his money underwritten at four payments, shall enjoy his proportionable number of English Acres: any thing in the said Acts, or either of them, contained to the contrary notwithstanding. And whereas the two Millions and half of Acres mentioned in the said

Time for payment by such as have subscribed.

first

first recited Act to be for the satisfaction of such persons as shall underwrite, and pay in any sum of money according to the said first recited Act, or Propositions mentioned in the said first recited Act, are to consist of English measure; Now to the intent that all such well affected persons, Bodies Politick and Corporate, as have underwritten, or shall underwrite, or have caused, or shall cause to be underwritten to the purposes in all, or any of the said Acts, expressed, any sum of money, and shall pay in, or cause to be paid in all their sums which are or shall be so underwritten, as aforesaid, before the said twentieth of July, may have Lands sufficient to give them satisfaction according to the proportion of one and twenty foot to the Pole for every Acre.

The proportion of every Acre.

Therefore be it Enacted, That every Acre of the said two Millions and half of Acres shall consist of eightscore Pearches or Poles; and every Pearch or Pole shall consist of one and twenty foot. And all the said two Millions and half of Acres shall be measured forth out of the said Rebels Lands, and the other Lands forfeited by the said first recited Act, according to that measure; Any thing in the said Propositions, or in the said Acts contained to the contrary notwithstanding.

Proviso.

Provided nevertheless, That all and every person and persons, Bodies Politick and Corporate which have underwritten, or shall underwrite, or have caused, or shall cause any other to underwrite for him or them, any sum of money to the purposes aforesaid, and have paid, or shall pay in their moneys according to the said recited Acts, or according to the times limited in the first Clause of this Act, and shall not pay in all their respective sums underwritten, or to be underwritten as aforesaid, before the said twentieth of July, shall have their proportionable number of Acres according to the English measure; viz. consisting of sixteen foot and an half to the Pole, and no other or greater measure; Any thing in this Act contained to the contrary notwithstanding.

Proviso.

Provided also, and be it Enacted by the Authority aforesaid, That no Person, body Politick or Corporate, which hath paid in any sum of Money according to the said Acts, or any of them, by way of Rebate, shall have any advantage of this Act, unless such person, Body Politick or Corporate, shall repay, or cause to be repaid, before the said twentieth of July, to the said four persons, or any two of them, who are to give Receipts for the same, the sum so to him or them formerly Rebated; Any thing in this Act contained to the contrary notwithstanding.

Allowance to the Receivers.

And be it lastly Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said four Receivers, or any two of them, to deduct and retain to their own use, one penny out of every pound of all such sums of money as they shall receive according to this Act, towards their charges and pains in attending and receiving the said Subscriptions and sums of Money, and in issuing out of the same.

ANNO



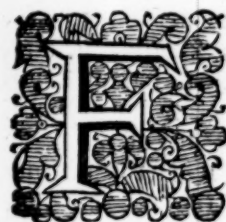
ANNO REGNI  
CAROLI II.  
REGIS

*Angliae, Scotiae, Franciae, & Hiberniae,*  
DUODECIMO.

At the Parliament begun at *Westminster*, the five and twentieth day of *April*, *An. Dom.* 1660. In the twelfth year of the Reign of Our most Gracious Sovereign Lord CHARLES the Second, by the Grace of God, of *England, Scotland, France, and Ireland* King, Defender of the Faith, &c. And there continued until the nine and twentieth day of *December* then next following, and then dissolved by his Majesty; To the high pleasure of Almighty God, and to the weal publick of this Realm, were Enacted as followeth:

CAP. I.

An Act for removing and preventing all Questions and Disputes concerning the Assembling and Sitting of this present Parliament.



OR the preventing all Doubts and Scruples concerning the Assembling, Sitting, and Proceeding of this present Parliament; Be it Declared and Enacted, and it is Declared and Enacted by the King Our Sovereign Lord, and by the Lords and Commons in Parliament assembled, and by Authority of the same, That the Parliament begun and holden at *Westminster*, the third day of November, in the sixteenth year of the Reign of the late King CHARLES of Blessed Memory, is fully dissolved and determined; And that the Lords and Commons now sitting at *Westminster*, in this present Parliament, are the two Houses of Parliament, and so shall be, and are hereby Declared, Enacted, and Adjudged to be to all Intents, Constructions, and Purposes whatsoever, notwithstanding any want of the Kings Majesties Writ or Writs of Summons, or any Defect or Alteration of, or in any Writ or Writs of Summons, or any other Defect or Default whatsoever; as if this Parliament had been Summoned by Writ or writs in his Majesties Name, according to the usual Form, and as if his Majesty had been present in person at the Assembling and Commencement of this present Parliament: Provided alwayes, That this Parliament may be dissolved by his Majesty after the usual manner, as if the same had been summoned by Writ or Writs in his Majesties Name: Provi-

*St. 17. Car. 1. ca. 7.*  
*St. 15. Car. 2. ca. 1.*  
The Parli-  
ment begun  
3 Nov. 16. Car.  
dissolved.  
*St. 13. Car. 2. ca. 1.*  
The Members  
now sitting  
declared to be  
the two Hou-  
ses of Parlia-  
ment.



The Kings assent to this Act shall not determine this Session.

ded also, and it is hereby Enacted, That His Majesties Royal Assent to this Bill shall not determine this present Session of Parliament.

## CAP. II.

An Act for putting in Execution an Ordinance mentioned in the said Act, for an Assessment of 70000 l. *per mensem*, for three Months. EXP.

## CAP. III.

An Act for the Continuance of Process and Judicial Proceedings.

Process, Writs, &c. shall not be discontinued for not holding certain days of Return.

**W**hereas the four first Returnes of Easter Terme, in the year one thousand six hundred sixty, of late called, from Easter day in fifteen dayes, from Easter day in three weeks, from Easter day in one Moneth, and from Easter day in five weeks, or any of them, cannot be conveniently kept or holden: Now for avoiding all manner of discontinuances whatsoever, which by occasion thereof should or might happen, or be in any Matter or Cause whatsoever, in any the Courts at Westminster: Be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons Assembled in Parliament, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Processes, Precepts, or other thing or things whatsoever, Pleaded, Returned, or Depending, or having day or dayes in any of the said Courts, in or at the said several Returns or any of them, or at any other day or dayes certain after any of the said Returnes, shall be in any wise discontinued, or put without day, for or by reason of the not keeping or holding of the said Returnes, or dayes, or any of them; but that all and singular the said Pleas, Writs, Bills, Actions, Suits, Plaints, Processes, Precepts, and other the Premises aforesaid, shall stand, continue, and be good and effectual in Law, to all Intents and Purposes, as if the said Returnes and dayes, and every of them, had been actually kept and holden in all and every the said Courts; any Law, Statute, Custom, or Usage to the contrary thereof in any wise notwithstanding.

Writs, Process, Pleas, &c. returnable at a certain day.

And be it further Enacted by the Authority aforesaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Processes, Precepts, and other thing or things whatsoever aforesaid, pleadable, or to be pleaded, returnable, or to be returned, or having day in any manner whatsoever at any of the said Returns, or any day or dayes certain after any of the said Returns, Be and are hereby continued and adjourned, unto (and shall and may be Pleaded, Returned, Heard, and Determined in the Respective Courts aforesaid) at, or on the fifth Return of the said Term, of late called, In the morrow of the Ascension of our Lord; And that all Parties in any Pleas, Writs, Bills, Actions, Suits, Plaints, Processes, or other thing or things whatsoever, having dayes given them at any of the said four first Returns, or at any other day or dayes certain, after any of the said Returnes in the said Courts, or any of them, by vertue of this present Act, have the said Return of late called, In the morrow of the Ascension of our Lord, preferred therein; And that all Sheriffs, Officers, and other Ministers whatsoever, and every of them respectively, keep in their hands all Writs, Bills, Processes, and Precepts, and all other things whatsoever to them directed respectively Returnable, or to be Returned in the several Courts aforesaid, at the said four first Returns, or any of them, in or at any day certain, as aforesaid, until the said fifth Return, of late called, The morrow of the Ascension of our Lord, and then Return the same into the said several Courts respectively, That such proceedings may be then had thereupon, as should have been had, in case the said four first Returns had been kept and holden.

Process, Writs, Pleas, &c. under certain titles and names may be prosecuted and proceeded upon.

And be it further Enacted by the Authority aforesaid, that no Writs, Processes, Plaints, Pleas, Informations, Indictments, or Judicial proceedings, had, Commenced, or prosecuted before the fifth day of May, in the said year of our Lord one thousand six hundred sixty, in the Name, Style, Title, or Test of Custodes

Custodes Libertatis Angliæ Authoritate Parliamenti; or, in the Name, Stile, Title, or Test of The Keepers of the Liberty of England by Authority of Parliament; or in the Name, Stile, Title, or Test of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging; or in the Name, Stile, Title or Test of Oliver Lord Protector of the Common-wealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; or in the Name, Stile, Title, or Test of Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, shall be put without day abated, quashed, or discontinued by his Majesties most just re-assumption of the actual Exercise of his Kingly Government in this Kingdom; nor shall the same be cause of Errour, Abatement, or Discontinuance, but that all such Writs, Proses, Plaints, Pleas, Informations, Indictments, and Judicial proceedings, and all Commissions for taking of Answers, or Examination of Witnesses, Commission for taking of Fines, and Warrants of Attorney, Guardians, or Procheinamy, shall stand and be continued, and shall and may be proceeded upon, prosecuted, and returned, notwithstanding the same were commenced or prosecuted in English, and notwithstanding the present happy Change and Restitution of his Majesties Name and Stile in Judicial Proceedings.

And be it further Enacted by the Authority aforesaid, That one pretended Act made in the year of our Lord, 1650. intituled, An Act for turning the Books of the Law, and all Proces and Proceedings in Courts of Justice, into English, shall stand and be in force, as if the same had been a good and effectual Act, from the first Return of Easter Term, in the year of our Lord 1651. until the first day of August, in the year of our Lord 1660. and no longer. And whereas by one other pretended Act, made in the said year of our Lord 1650. intituled, An Act touching Corn and Meal, It was Enacted, or mentioned to be Enacted, That from and after the twentieth day of November 1650. It should and might be lawful to and for any person or persons, Defendant or Tenant, for or by reason of any matter to be pleaded, set forth, or alledged in Bar to any Action real, personal, or mixt, in any Court of Record, to plead the General Issue of Not Guilty, or the like General Issue proper to the Nature of the Action or Suit commenced; and for his or their Discharge or Acquitting to give any such matter in evidence to the Jury that shall try the same; and that the said matter shall be as available to such person or persons, Defendant or Tenant, to all intents and purposes, as if the said matter had been specially pleaded, set forth, or alledged in Bar of such Action.

Be it further Enacted, That the said pretended Act, as touching the pleading of the General Issue, shall by authority hereof, stand and be in full force and effect according to the Tenor thereof, untill the first day of August, as if the same had been a good and effectual Act of Parliament, and no longer.

Provided alwayes, That where the General Issue hath been since the said twentieth day of November 1660. pleaded, or shall before the said first day of August in the said year of our Lord 1660. be pleaded in any Action, That then upon the Tryal of the said Cause, such Evidence shall and may be allowed, as if the said pretended Act touching the pleading of the General Issue had been and continued a good and effectual Act of Parliament not determined or discontinued.

Provided also, That his Majesties Royal Assent to the passing of this Bill, shall not extend, or be construed to extend to the determining of the Session of this present Parliament.

Provided nevertheless, and be it Enacted, That all Writs, Patents, and Commission for Constituting Justices of either Bench, and Barons of the Exchequer, Commissions of Oyer and Terminer and Goal Delivery, and Precept upon Commissions of Oyer and Terminer, and Goal Delivery, and all

Proces and proceedings in English in Courts of Justice to continue. EXP.

Pleading the General Issue.

E X P.

His Majesties Assent to this Bill doth not determine the Session. All Writs, Patents, Commissions, &c. to issue in the Kings name as formerly.



other Commissions hereafter to be made by the Clerk of the Crown in the Chancery, Charters, and Letters Patents under the Great Seal, of Lands, Liberties, Honours, or Offices, do or may issue in the Kings Majesties Name, in the same manner as was usual before the making of the said first recited pretended Act, any thing in this present Act to the contrary thereof before expressed, in any wise notwithstanding. St. 13. Car. 2. cap. 6.

## CAP. IV.

A Subsidie granted to the King of Tonnage and Poundage, and other sums of Money payable upon Merchandize Exported and Imported.

The Causes of  
granting the  
Subsidies.

A Subsidy of  
Tonnage  
granted to the  
King.

**T**he Commons assembled in Parliament, reposing Trust and Confidence in Your Majesty, in, and for the Guarding and Defending of the Seas, against all persons, intending, or that shall intend the disturbance of Your said Commons, in the intercourse of Trade, and the invading of this Your Realm, For the better defraying the necessary Expences thereof, which cannot otherwise be effected without great charge to Your Majesty, Do, by and with the advice and consent of the Lords in this Your present Parliament assembled, and by the authority of the same, to the intent aforesaid, Give, and Grant unto You, our Supreme Liege Lord and Sovereign, one Subsidie, called Tonnage, that is to say, Of every Ton of Wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that shall come into the Port of London, and the Members thereof, by way of Merchandize, by your Natural born Subjects, the sum of Four pounds and ten shillings of currant English Money, and so after that Rate; and by Strangers and Aliens Six pounds of like money; And of every Ton of the like Wine, which shall be brought into all, and every the other Ports and places of this Kingdom, and the Dominions thereof, by way of Merchandize, by Your Natural born Subjects, the sum of three pounds, and by Aliens, four pounds and ten shillings, And of every But or Pipe of Muscadels, Malmaleys, Cutes, Tents, Allicants, Bastards, Sacks, Canaries, Malligoes, Maderoes, and other Wines whatsoever, commonly called Sweet Wines, of the growth of the Levant, Spain, Portugal, or any of them, or of any the Islands or Dominions to them, or any of them belonging, or elsewhere, that shall come, or be brought into the Port of London by Your Natural born Subjects, the sum of forty five shillings of currant English money, and so after that Rate, And by Strangers and Aliens three pounds of like money: And of every But and Pipe of the like Wine, which shall come, or be brought into all, every, or any the other Ports and places of this Kingdom, and Dominions thereof, by way of Merchandize, by Your Natural born Subjects, the sum of thirty shillings, and by Strangers forty five shillings. And of every Aum of Rhenish Wine, or Wine of the growth of Germany, that shall be brought into this your Realm, and the Dominions thereof, by your Natural born Subjects, the sum of twenty shillings of currant English money, and by Strangers and Aliens twenty and five shillings, which several Rates are the same which are expressed in a certain Book of Rates herein after mentioned and referred unto. And also one other Subsidy called Poundage, that is to say, of all manner of Goods and Merchandize of every Merchant, Natural born Subject, Denizen, and Alien, to be carryed out of this Realm, or any your Majesties Dominions to the same belonging, or to be brought into the same by way of Merchandize, of the value of every twenty shillings of the same Goods and Merchandize, according to the several and particular rates and values of the same Goods and Merchandizes, as the same are particularly and respectively rated and valued in the said Book of Rates herein after mentioned and referred unto, twelve pence, and so after that rate. And of every twenty shillings value of any the Native Commodities of this Realm, or Manufactures, wrought of any such Native Commodities,

A Subsidie of  
Poundage.

modities, to be carried out of this Realm, by every, or any Merchant Alien, according to the Value thereof in the said book expressed, twelve pence over and above the twelve pence aforesaid, except and fore-prized out of this Grant of Subsidy of Poundage, all manner of Woollen-clothes, made or wrought, or to be made or wrought within this Realm of England, commonly called Old Draperies, and all Wines before limited to pay Subsidy of Tonnage, and all manner of Fish, English taken, and brought by English bottoms, into this Realm, and all manner of fresh Fish, and bestial, that shall come into this Your Realm; and all other Goods and Merchandizes, which in the said Book of Rates are mentioned to be Customs-free.

Exceptions  
out of the  
Subsidy.

And further, We your said Commons, by the Advice, Assent and Authority aforesaid, do give and grant unto You, Our said Liege Lord and Sovereign, for the causes aforesaid, One other Subsidy, that is to say, Of and for every short Woollen-cloth to be exported by Your natural born Subjects of this Your Realm, and the Dominions thereof, called Broad-cloth, not exceeding twenty eight yards in length, and threescore and four pounds in weight, the sum of three shillings and four pence of currant English money, and of every Cloth of greater length and weight proportionably, according to the same rate; And of every other short cloth of old Drapery of lesser length, and weight, accounting so many pieces to a short cloth, as are limited and appointed thereunto by the said book of Rates, to be likewise exported by Your said natural born Subjects, the like sum of three shillings four pence, and so after that rate, and by Strangers and Aliens six shillings and eight pence for every short cloth accounted as aforesaid; which several rates are accordingly expressed in the said book of Rates herein after mentioned and referred unto, to have, hold, take, enjoy, and perceive the Subsidies aforesaid, and every of them, and every part and parcel of them unto your Majesty, from the Four and twentieth day of June inclusively, in the twelfth year of Your Majesties Reign, for and during Your Majesties life, which God long preserve.

A Subsidy of  
Woollen-cloth  
exported.

A Subsidy of  
Strangers  
Aliens.

The said Sub-  
sidies granted  
to the King  
during his life.

And be it further Enacted by the Authority aforesaid; That if any Wines, Goods, or other Merchandize, whereof the Subsidies aforesaid are or shall be due, shall at any time after be shipped or put into any Boat or Vessel, to the intent to be carried into the parts beyond Seas, or else be brought from the parts beyond the Seas into any port, Place, or Creek of this Realm, or other your Majesties Dominions, by way of Merchandize, and unshipped to be laid on Land, the Subsidie, Customs and other Duties due or to be due for the same not paid, or lawfully tendered to the Collector thereof, or his Deputy, with the consent and agreement of the Comptroller and Surveyor there, or one of them at the least, nor agreed with for the same in the Customs-house, according to the true meaning of this Act, that then, from the said Four and twentieth day of June, all the same Wines, Goods and Merchandizes whatsoever shall be forfeit to your Majesty; the one moiety of the rate thereof to Your Majesty, and the other moiety to him or them that will seize the same, or sue for the same; And that it may please your Majesty, that all Merchants, as well Denizens, as Strangers, coming into this Your Realm, be well and honestly intreated and demeaned, for such things as Subsidy by this Act is granted, as they were in the time of Your Noble Progenitors and Predecessors, without oppression to them to be done, paying the Subsidies aforesaid.

The penalty  
for not paying  
the Subsidy.

Merchants  
strangers shall  
be well intreat-  
ed.

And, be it further Enacted by the authority aforesaid, that if any Goods or Merchandize, as aforesaid, of any Merchant being born Denizen after the said four and twentieth day of June, hath been, or at any time hereafter during Your Majesties life, shall be taken by any Enemies or Pirates upon the Sea, or perished in any ship or ships, that shall happen to be taken or perished, during Your Majesties Life, whereof the Subsidies and other Duties aforesaid, are, or shall be duly paid, or agreed for as aforesaid; and that

A provision  
for such whole  
goods be  
taken by Py-  
rates, or pe-  
rished on the  
Sea.

duly



duely proved before the Treasurer of England, Commissioners of the Treasury, or chief Baron of the Exchequer for the time being, by the examination of the same Merchants, if they be alive, or of their Executors or Administrators, if they be dead, or by two credible Witnesses at the least sworn, or other reasonable Witness and proof sworn, then the same Merchant or Merchants, his, or their Executors or Administrators, shall or may newly ship, in the same Port where the goods and merchandize aforesaid were, or shall be customed, so much other merchandize or goods, as the same goods or merchandize are, or shall be, lost as aforesaid, shall amount unto in Custome, without paying of any thing for the same, so as the same proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collectors of the Customes of the Port where the same wares or merchandize are to be newly shipped without custome, as aforesaid. And further, That every Merchant-Denizen who shall hereafter ship any goods or merchandize in any Carrack or Gally, shall pay to your Majesty all manner of Customes, and all the Subsidies aforesaid, as any Alien born out of the Realm.

The Customes  
of any goods  
shipped in  
Carracks or  
Gallies.

Shipping of  
Herrings.

No rates to be  
imposed on  
merchandize  
without au-  
thority of  
Parliament.  
A Book of  
Rates agreed  
by the Com-  
mons House  
of Parliament.

The Fees of  
the Custome  
Officers.

A Proviso for  
such as paid  
before the 24  
July, 1660.

Provided alwayes, That it shall and may be lawful to all and every Your Subjects, at his and their will and pleasure, to convey and transport out of this Realm, in Ships and other Vessels of any the Subjects of this Realm, all and every kind of Herrings and other Sea fish, to be taken on the Sea by any the Subjects aforesaid, from or out of any Port or Harbor of this Realm, to any place out of your Majesties Dominions, without paying any Custome, Subsidie or Poundage-moneys for the same Herrings, or other fish so carried or transported during your Majesties life, any thing herein before contained to the contrary notwithstanding.

And because no rates can be Imposed upon Merchandize, imported or exported by Subjects or Aliens, but by common consent in Parliament, Be it further Enacted and Declared, by the Authority aforesaid, that the rates intended by this present Act, shall be the rates mentioned and expressed in one Book of Rates, entituled, The Rates of Merchandize, That is to say, the Subsidy of Tonnage, the Subsidy of poundage, and the Subsidy of Woollen clothes, or old Draperies, as they are rated and agreed on by the Commons House of parliament, set down and expressed in this Book, to be paid according to the Tenor of the Act of Tonnage and Poundage, from the four and twentieth day of June inclusively, in the twelfth year of his Majesties Reign, during his Majesties Life, and subscribed with the hand of Sir Harbottle Grimstone Baronet, Speaker of the House of Commons; Which said Book of Rates composed and agreed on Your Majesties said Commons, and also every Article, rule and clause therein contained, shall be and remain during Your Majesties Life, as effectual to all intents and purposes, as if the same were included particularly in the Body of this present Act.

And it is further Enacted, that during the continuance of this present Grant, where the Goods Exported or Imported, amount to the value of five pounds or more, the Customers and Collectors, and all other his Majesties Officers in the severall Ports, shall take and receive such Fees, and no other, as were taken in the fourth year of the late King James, until such time as the said Fees shall be otherwise settled by Authority of Parliament.

Provided alwayes, that no person or persons, who after the Four and twentieth of June, in the year One thousand six hundred and sixty, and before the Four and twentieth of July in the same year, have paid, received, or collected any Duties, or Customes, according to the Rates used in April, One thousand six hundred and sixty, shall be molested, or any way Impeached, for, or concerning the payment or receipt of the said Duties, or any other Duties by this Act Imposed.

And it is hereby further Declared, That no person who hath shipped any Goods since the said Four and twentieth of June and before the said Four and twentieth of July, shall be lyable to the payment of any Duties therefoze, other then

then such as were used to be paid in the said moneth of April, Due thousand six hundred and sixty.

Provided alwaies, and be it Enacted by the Authority aforesaid, That it shall and may be lawful for any person or persons, immediately from and after the passing of this Act, to transport, ship, and carry out of this Kingdome, or out of any Port thereof, by way of merchandize, any of these Commodities, Goods, and Merchandizes following; That is to say, Iron, Armour, Bandeleers, Biddle-Bitts, Halbert-Heads and Sharps, Holsters, Muskets, Carbines, Fowling-peices, Pistols, Pike-heads, Sword or Rapier-blades, Saddles, Snaffles, Styrropes, Calve-skins dressed or undressed, Geldings, Oren, Sheep-skins dressed without the Wool, and all sorts of Manufactures made of Leather, paying the respective rates appointed by this Act, and no other, any Law, Statutes, Prohibitions, and Customes to the contrary notwithstanding.

Goods which may be exported immediately after the passing this Act.

And be it further Enacted by the Authority aforesaid, that it shall and may be lawful, immediately after the passing of this Act, for any person or persons to ship, carry out, and transport by way of merchandize, these several sorts of Goods following, that is to say, Gun-powder when the same doth not exceed the price of five pounds the Barrel. And Wheat, Rye, Pease, Beans, Barley, Hault and Oats, Beef, Pork, Bacon, Butter, Cheese, Candles, when the same do not exceed in price at the Ports from whence they are Laden, and at the time of their Lading, these prices following: that is to say, Wheat, the Quarter, Forty shillings; Rye, Beans and Pease, the Quarter, Twenty four shillings; Barley and Hault, the Quarter, twenty shillings; Oats, the Quarter, Sixteen shillings; Beef, the Barrel, Five pounds; Pork, the Barrel, Six pounds ten shillings; Bacon, the pound, six pence; Butter, the Barrel, Four pounds ten shillings; Cheese, the hundred, One pound ten shillings; Candles, the dozen pound, five shillings, paying the respective rates appointed by this Act, and no more: Any former Law, Statute, Prohibition or Custome to the contrary in any wise notwithstanding.

Goods which may be exported being at certain prices.

provided alwaies, That it shall be free and lawful for his Majesty, at any time when he shall see cause so to do, and for such time as shall be therein expressed, by Proclamation, to prohibit the transporting of Gun-powder, or any sort of Arms or Ammunition, into any parts out of this Kingdome: Any thing in this Act contained to the contrary notwithstanding.

His Majesty by Proclamation may prohibit transporting Gun-powder, Arms, and Ammunition. Stat. 17. Car. I. cap. 21. An additional Subsidie upon Wines over and above the forementioned rates, Security to be given by the Importer. The said Subsidy to be repaid upon exportation.

And be it further Enacted by the Authority aforesaid, That over and above the rates herein before mentioned, there shall be paid unto your Majesty of every Tonn of Wine of the growth of France, Germany, Portugal, or Madera, brought into the port of London, or elsewhere, the sum of three pounds of currant English money, within the space of Nine moneths after the Importing: And of every Tonn of all other Wines brought in as aforesaid, the sum of Four pounds of like currant money, within the space of Nine moneths after the Importing thereof: For the payment of which duties accordingly, the Importer shall give good Security: And if any of the said Wines for which the additional Duty in this clause mentioned, is paid, or secured at the Importation, be Exported within twelve moneths after their Importation, then the foresaid additional Duty in this clause mentioned shall be returned, or the security discharged, as to so much as shall be so Exported: And if at the Importation the Importer shall pay for the same ready money, he shall be allowed after the rate of Ten per Cent. for a year.

And be it further Enacted, That from and after the said Four and twentieth day of July, all manner of Wines whatsoever to be Imported in the port of London, or elsewhere, shall be freed & discharged, of & from the Imposition of Excise.

All Wines discharged of Excise.

Provided, and it is hereby Declared and Enacted, That the pilfage of Wines, or pils-Wines, ought not to pay Tonnage nor Custome, and shall not be charged with the payment of any Custome, Subsidie, or sum of money

Pilsage Wines not to pay any Custome or Subsidy.



money imposed upon Wines by this Act, or any thing therein contained. St. 13. Car. 2. cap. 6.

## C A P. V.

An Act for continuing the Excise until the Twentieth of *August*, 1660. EXP. Stat. 13. Car. 2. cap. 6.

## C A P. VI.

An Act for the present Nominating of Commissioners of Sewers.

Commissioners of Sewers to be made, by the Lord Chancellor, and others, there being no L. Treasurer, nor chief Justice of either Bench.

The Kings assent not to determine this Parliament.

**V**hereas by a Statute made in the Three and twentieth Year of the Reign of King Henry the Eighth, It is enacted, That Commissions of Sewers shall be directed, in manner as in the said Act is expressed, to such persons as shall be named, by the Lord Chancellor, and the Lord Treasurer of England, and the two chief Justices for the time being, or by three of them, whereof the Chancellor to be one: And whereas our Sovereign Lord the King, hath not as yet been pleased to make, or constitute any person to be Treasurer of England, or Chief Justice of either Bench; In default whereof, no Commissioners of Sewers can at this present time be named, according to the appointment of the said Statute: And now great Damages having lately hapned in many parts of this Realm, by Inundations of Waters, which are likely to increase to the greater damage of the people, unless speedy remedy be in this behalf provided: Be it therefore Enacted by this present Parliament, that Commissions of Sewers shall and may at any time before the three and twentieth day of October next ensuing, and not after, be directed according to the manner, and form expressed in the said recited Statute, to such persons as the Lord Chancellor, the Lords Commissioners of the Treasury, the Chancellor of the Duchy of Lancaster, the Lord chief Baron of the Exchequer, and the Justices of either Bench for the time being, or any three of them, whereof the Lord Chancellor to be one, shall nominate and appoint; Which said Commissioners, which shall be so nominated, shall have full power, to do, and Execute all matters, and things as fully in all respects, as any Commissioners of Sewers, at any time heretofore named, by the Lord Chancellor, Lord Treasurer, the two chief Justices, or any three of them, ever had, or might have, by vertue of the said Statute, or any other Law now in force, the said recited Statute, or any other Law, or Statute, to the contrary in any wise notwithstanding: Provided alwaies, that this Act, or any thing therein contained, shall not extend to repeal, or make void any Clause, Article, Sentence, or Power, expressed, or comprized in the said Statute made in the three and twentieth Year of King Henry the Eighth touching Sewers, from and after the three and twentieth day of October next ensuing, but that the same shall be of full power, force and vertue, as if this Act had never been made. Provided also, and it is declared, that His Majesties Royal Assent to this Act, doth not, nor shall determine this present Session of Parliament. St. 13. Car. 2. cap. 13.

## C A P. VII.

An Act for restoring unto *James Marquess of Ormond*, all his Honors, Manors, Lands and Tenements, in *Ireland*, whereof he was in possession on the Three and twentieth day of *October*, One thousand six hundred forty and one, or at any time since. Pr.

## C A P. VIII.

An Act for continuing the Excise till the Five and twentieth Day of *December*, One thousand six hundred and sixty. EXP. St. 13. Car. 2. cap. 6. 12. Car. 2. cap. 23.

C A P.

## CAP. IX.

An Act for the speedy Provision of Money, for disbanding and paying off the Forces of this Kingdom both by Land and Sea. *Stat. 12. Car. 2 Cap. 10. Stat. 13. Car. 2. Cap. 6.*

## CAP. X.

An Act for Supplying and Explaining certain Defaults in an Act entituled, An Act for the speedy provision of Money for Disbanding and paying off the Forces of this Kingdom, both by Land and Sea.

## CAP. XI.

An Act of Free and General Pardon, Indemnity, and Oblivion.

**T**he Kings most Excellent Majesty taking into His Gracious and Serious consideration the long and great Troubles, Discords, and Wars, that have for many Years past been in this Kingdom, And that divers of His Subjects are by occasion thereof, and otherwise, fallen into, and be obnoxious to great pains and penalties: Out of a hearty and pious Desire to put an end to all Suits and Controversies, that by occasion of the late Distractions have arisen, or may arise between all His Subjects; And to the intent that no Crime whatsoever committed against His Majesty, or His Royal Father, shall hereafter rise in Judgment, or be brought in Question against any of them to the least endamage of them, either in their Lives, Liberties, Estates, or to the prejudice of their Reputations, by any Reproach or Term of Distinction: And to bury all Seeds of future Discords and remembrance of the former, as well in His own Breast as in the Breasts of His Subjects one towards another: And in performance of His Royal and Gracious Word signified by His Letters to the several Houses of Parliament now assembled, and His Declarations in that behalf published, Is pleased that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, First, That all, and all manner of Treasons, Conspiracy of Treason, Murthers, Felonies, Offences, Crimes, Contempts, and Misdemeanors, Counselled, Commanded, Acted, or done since the first day of January, in the year of our Lord, One thousand six hundred thirty seven, by any person or persons before the twenty fourth day of June, in the year of our Lord, One thousand six hundred and sixty, other than the persons hereafter by name excepted, in such manner as they are hereafter excepted, by virtue or colour of any Command, Power, Authority, Commission, or Warrant, or Instructions from his late Majesty, King Charles, or his Majesty that now is, or from any other person or persons, deriving, or pretending to derive authority, mediately, or immediately, from both or either of their Majesties, or by virtue or colour of any Authority derived mediately or immediately of or from both Houses, or either House of Parliament, or of or from any Convention, or Assembly, called, or reputed, or taking on them the name of a Parliament; Or by, from, or under any Authority styled or known by the Name of the Keepers of the Liberty of England, by Authority of Parliament; Or by virtue or colour of any Writ, Commission, Letters Patents, Instruction or Instructions of, or from any person or persons, Entituled, reputed, or taken to be Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belonging, or assuming the authority, or reputed to be chief Magistrate of the Commonwealth,

The causes and ends of this Pardon and Indemnity.

The general Pardon.



or Commander in chief of the Forces or Armies of this Nation, by Sea or Land, or by any pretence, Warrant, or Command whatsoever, from them or any of them, or their, or either of their respective Council or Councils, or any Member of such Counsellor, Councils, or from any person or persons whatsoever, deriving, or pretending to derive Authority from them, or any of them, be Pardoned, Released, Indemnified, Discharged, and put in utter Oblivion.

And that all and every the person, and persons, Acting, Advising, Assisting, Abetting, and Counselling the same, they, their Heirs, Executors, and Administrators (except as before is excepted) be and are hereby pardoned, Released, Acquitted, Indemnified, and discharged from the same: And of and from all pains of death, and other pains, Judgments, Indictments, Convictments, Attainders, Outlawries, Penalties, Escheats, and Forfeitures, therefore had or given, or that might accrue for the same: And that all such Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Escheats, and Forfeitures, and every of them, and all Grants thereupon made, and all Estates derived under the same, be and are hereby Declared and Enacted to be from henceforth Null and Void. And that all mean profits not yet received by such Grantees, shall be, and are hereby discharged: And that all and every Person and Persons, Bodies Politick and Corporate, their, and every of their Heirs, Executors, Administrators and Successors, shall be, and are hereby restored to all and every their Lands, Tenements, and Hereditaments, Goods, Chattels, and other things forfeited, which to his Majesty do or shall appertain by reason of any offence herein before mentioned, and not hereafter in this present Act excepted and Forfeitzed.

All appeals,  
personal Actions  
and Suits  
pardoned.

And be it further Enacted, That all appeals, and all personal Actions, Suits, Molestations, and Prosecutions whatsoever, for, or by reason of any Act of Hostility, Trespass, Assault, Imprisonment, or breach of the Peace, Advised, Counsellor, Commanded, Appointed, Hapned, Acted, or done by reason of the late Troubles, or the late Wars, in his Majesties Dominions, or relating thereunto, and all Judgments and Executions thereupon had before the first day of May, in the year of our Lord, One thousand six hundred fifty eight, stand and be from henceforth discharged; But not to restore to any Person or Persons any sums of money, mean Profits, or Goods already received or taken upon such Execution, or to give any accompt for the same.

And be it likewise Enacted, That all Appeals, and all Personal Actions and causes of such Actions, Suits, Molestations, and Prosecutions whatsoever, for, or by reason of any Act or thing Advised, Counsellor, Commanded, Acted or done by vertue or colour of any Authority or Commission granted by his late Majesty, or his Majesty that now is, or by vertue or colour of any Order or Ordinance of one or both Houses of Parliament sitting at Westminster; Or by any Act or Order made by any Persons assuming the name of a Parliament, and sitting as a Parliament at Westminster, after the death of the late King Charles the first; Or by the Authority of the said Keepers of the Liberties of England; Or by any Ordinance by either of the late Protectors and Council, Or by, or upon any Commission, Writ, Process, or Warrant, by them, or any of them, or by Authority derived from them, or any of them: And all demands of Arrearages of Rents and mean Profits of Lands, Tenements, or Hereditaments, heretofore incurred or grown due, which have been paid, received or disposed by vertue or colour of any the Authorities, or pretended Authorities aforesaid, other than such Arrearages or mean profits as are or shall be otherwise disposed by any Act, or Acts of this present Session of Parliament, be from henceforth discharged.

And it is further by the Authority aforesaid Enacted in the second place, That all and every the Subjects of these his Majesties Realms of England and Ireland, the Dominion of Wales, the Isles of Jersey and Garnsey, and the Town of Berwick upon Tweed, and other his Majesties Dominions, the Heirs, Executors, and Administrators of them, and every of them, and all

all and singular Bodies in any manner of wise corporated, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets, and Tythings, and every of them, and the Successor and Successors of every of them, shall be, and are by the authority of this present Parliament Acquitted, Pardoned, Released, Indemnified, and Discharged against the Kings Majesty, his Heirs and Successors, and every of them, of and from all manner of Treasons, Conspiracy of Treason, Felonies, Offences, Contempts, Trespasses, Entries, Wrongs, Deceits, Misdemeanors, Forfeitures, Penalties, and sums of Money, Intrusions, Mean profits, Wardships, Marriages, Reliefs, Liberties, Duffer le mains, Mean Rates, Respits of Homage, Fines, and Seizures for Alienation without Licence, Arrearages of Rents, (other than the Arrearages of Rents due from the late Farmers, or pretended Farmers of the Excise or Customs respectively, and other than such Arrearages of Rents, or mean Profits, as are or shall be otherwise disposed by any Act or Acts of this present Parliament) and of and from all Arrearages of Tenths, First-fruits, Fines, post-fines, Issues, and Amerciaments, and all Recognizances, Bonds, or other Securities given for payment of them, or any of them, Concealments of Customs and Excise, Arrearages of purveyance and of compositions for the same, and of and from all pains of Death, pains corporal and pecuniary, and generally of and from all other Things, Causes, Quarrels, Suits, Judgments, and Executions, in this present Act hereafter not Excepted nor Forfeitzed, which may be, or can be by his Majesty in any wise, or by any means pardoned, before and unto the twenty fourth day of June, in the year of our Lord, One thousand six hundred and sixty, to every or any of his said Subjects, Bodies corporate, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, and Tythings, or any of them.

And be it further Enacted by the Authority aforesaid, That all Grants and Patents since the twenty fifth of March, One thousand six hundred forty one, touching the Wardship and custody of the Body and Lands, or touching the marriage of any Heir within age, and all mean profits yet unreceived, and demandable by reason thereof, shall be, and are hereby from henceforth Discharged.

And also the Kings Majesty is contented, That it be further Enacted by authority of this present Parliament, and be it Enacted by the authority aforesaid, that His said Free pardon, Indemnity and Oblivion, shall be as good and effectual in the Law to every of his said Subjects, Bodies corporate, and others before rehearsed, in, for, and against all things which be not hereafter in this present Act Excepted and Forfeitzed, as the same Pardon, Indemnity, and Oblivion, should have been, if all Offices, Contempt, Forfeitures, Causes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things, not hereafter in this present Act Excepted and Forfeitzed, had been particularly, singularly, especially and plainly named, rehearsed, and specified, and also pardoned by proper and expresse Words and Names, in their Kinds, Natures, and Qualities, by Words and Terms thereunto requisite to have been put in, and expresse in this present Act of free Pardon, Indemnity, and Oblivion: And that His said Subjects, nor any of them, nor the Heirs of, Executors or Administrators of any of them, nor the said Bodies Corporate, and others before named and rehearsed, nor any of them, be, nor shall be, Sued, Merged, or Inquieted, by, or on the behalf of the Kings Majesty, His Heirs or Successors, in their Bodies, Goods, Chattels, Lands, or Tenements, for any manner of Matter, Cause, Contempt, Misdemeanor, Forfeiture, Trespass, Offence, or any other thing suffered, done, or committed, before the said twenty fourth day of June, One thousand six hundred and sixty, against his late Majesty King Charles, or his Majesty that now is, His Crown, Dignity, Prerogative, Laws or Statutes, but only for such Matters, Causes, and Offences, as be Excepted and Forfeitzed by this present Act out of the same, any Statute or Statutes, Laws, Customs, or Usages heretofore had, made, or used, to the contrary in any wise notwithstanding; And that all and every the Kings said Subjects,

All things not excepted shall be pardoned by general words as if particularly named.



and all and singular Bodies Corporate, and others before rehearsed, may by him or themselves, or by his or their Deputy or Deputies, or by his or their Attorney or Attorneys; according to the Laws of this Realm, plead and minister this present Act of Free Pardon, for his or their Discharge, of or for any thing that is by vertue of this present Act Pardoned, Discharged, Given or Granted, without any Fee, or other thing, paying to any person or persons for writing or entry of the Judgments or other cause concerning such Plea, Writing, or Entry, but only sixteen pence to be paid to the Officer or Clerk that shall enter such Plea, Matter or Judgment for the Parties Discharge in that behalf, any Law, Statute, Usage, or Custome to the contrary notwithstanding.

This Pardon, &c. to be expounded in all Courts most beneficially for the Subject.

And furthermore, the Kings Majesty is contented and pleased, that it be Enacted, and be it enacted by the Authority aforesaid, That this His said Free Pardon, Indemnity and Oblivion, by the general Words, Clauses, and Sentences, before rehearsed, shall be reputed, deemed, adjudged, expounded, allowed, and taken in all manner of Courts of his Highness, and elsewhere, most beneficial and available to all and singular the said Subjects, bodies corporate, and others before rehearsed, and to every of them, in all things not in this present Act excepted or foreprized, without any ambiguity, question, or other delay whatsoever it shall be, to be made, pleaded, objected, or alleged by the King our Sovereign Lord, his Heirs or Successours, or by his or any of their general Attorney, or Attorneys, or by any person or persons for his Highness, or any of his Heirs or Successours.

The Penalty of any Officer, &c. that shall go about to disquiet or trouble any person pardoned.

And furthermore, be it Enacted by the King our Sovereign Lord, and by the Authority aforesaid, That if any Officer or Clerk of any of his Highness Courts, commonly called the Chancery, Kings-bench, and Common-pleas, or of his Exchequer, or any other Officer or Clerk of any other of his Highness Courts within this Realm, at any time of the passing of this present Act, make out, or write out any manner of Writs, Process, Summons, or other Precepts, whereby any of the said Subjects, or any of the said bodies corporated, or others before rehearsed, or any of them, shall be in any wise arrested, attached, distrained, summoned, or otherwise vexed, inquieted, or grieved, in his or their Bodies, Lands, Tenements, Goods or Chattels, or in any of them, for, or because of any manner of thing pardoned or discharged by vertue of this Act of Free Pardon; Or if any Sheriff or Escheator, or any of their Deputy or Deputies, or any Bailiff, or other Officer whatsoever, by colour of his or their Office, or otherwise, after the passing of this present Act, do levy, receive, take, or withhold of or from any person or persons, any thing pardoned or discharged by this Act; That then every such person so offending, and thereof lawfully convicted or condemned by any sufficient testimony, witness, or proof, shall yield and pay for recompence thereof to the party so grieved or offended thereby, his or their treble damages, besides all costs of the Suit; and shall also forfeit and lose to the Kings Majesty for every such default, ten pounds: And nevertheless all and singular such Writs, Process, and Precepts so to be made for, or upon, any manner of thing pardoned or discharged by this present Act of Free Pardon, Indemnity and Oblivion, shall be utterly void and of none effect.

Exceptions out of this Pardon. All Murder not comprized in the first Clause excepted. Pyrracy excepted. Buggery, Rapes, and wilful taking away any maid excepted.

Except and alwaies foreprized out of this Free and General Pardon, all murders done or committed by any person or persons, other than such which are pardoned and discharged in the first clause of pardon abobe mentioned: And also excepted and alwaies foreprized out of this General and Free Pardon, all and every offences of Piracy and Robbery upon the Seas, not done in relation to the Differences and Wars aforesaid, and every procuring or abetting of any such Offenders, and the comforting and receiving of them, or any of them, or any goods taken by way of such Pyrracy or Robbery upon the Seas as aforesaid: And also excepted the detestable and abominable Vice of Buggery committed with Mankind or Beast: And also excepted all Rapes and carnal Ravishments of Women: And also excepted all Ravishments and wilful taking away, or marrying of any Maid, Widow or Damself, against her will, or without the as-  
sent

sent or agreement of her Parents, or of such as then had her in custody; and also all Offences of aiding, comforting, procuring and abetting of any such Rabbishment, wilful taking, or marrying, had, committed, or done: And also excepted all Offences made Felony by a certain Act made and ordained, Entituled, An Act to restrain all persons from Marriage untill their former Wives and former Husbands be dead: And also excepted all Offences of Invocations, Conjurations, Witchcrafts, Sorceries, Inchantments, and Charms; and all Offences of procuring, abetting, or comforting of the same; and all persons now attainted or convicted of any of the said excepted Offences: And also excepted all and singular the accountants of all and every person and persons appointed by any of the Authorities, or pretended Authorities aforesaid, to be Treasurer, Receiver, Farmer, or Collector (other than the Sub-collectors of the severall Parishes, Towns, and Hamlets respectively, for and concerning their Receipts before the four and twentieth day of June, in the year of our Lord one thousand six hundred fifty nine) who have received or collected any Subsidy, Custom, Subsidy of Tonnage and Poundage, Prize-Goods, Assessments, Sequestration, New Impost, or Excise, or of any the Rents, and Revenues of any Lands or Hereditaments, of or belonging unto the late King, Queen, or Prince, or King that now is, or belonging unto the late Arch-Bishopricks, Bishopricks, Deans, or Deans and Chapters, Canons, Prebends, and other Officers belonging to any Cathedral or Collegiate Church, or Popish Recusants convicted, or of persons Sequestred for their Recusancy, or other Sequestred Estates received, or collected by, or paid unto them since the thirtieth of January, in the year of our Lord one thousand six hundred forty two; and of all Honeys and other duties grown due or contracted upon the Sale or Disposition of them, or any of them.

Double marriages excepted.  
Witchcraft excepted.

Accounts of certain Treasurers and Receivers.  
St. 13. Car. 2. cap. 3.

Provided, That the Heirs, Executors, Administrators, or Tenants of the Lands of any Accountant within this Exception now deceased, shall not be charged with, nor liable unto any account for the matters in this Exception mentioned: Except for such sum or sums of money as remain due upon any of their accounts already Stated, and Determined, and are not yet paid in, and that no Accountant as abovesaid, now living, shall be liable to make account of any sum or sums of money, paid or disbursed, or otherwise allowed or discharged, by virtue or colour of any Order, or Ordinance, of both or either House or Houses of Parliament, or any Convention, or Assembly called, or Reputed, or taking on them the name of a Parliament, or of Oliver Cromwel, pretended Protector, or of Richard his Son, while he continued, or was killed, or obeyed as Protector, or by any persons acting as a Committee, appointed by the said two Houses, or either of them, or by any such Convention, or Assembly, or any Order or Direction of such Committee or Committees, or any person or persons acting as a publick Council, though having no legal authority so to do, or by their or any their Order or Orders, or Direction.

The Heirs and Lands of Accountants excepted.

It being further declared and Enacted, and is Enacted by the Authority aforesaid, That no person or persons shall be charged for any Honeys, by him received for the Fees, Salaries, and Wages then allowed, or for Honeys by him disbursed upon any publick use, or pretence, though the Direction, or Authority whereby the same Honey was issued, was not, or be not Legal and Warrantable in Law.

Fees and Salaries, &c. not to be accounted for.

And be it further provided, That no Military, or Commissioned Officer of the Armies, or Navies, or Soldier, or Mariner, who before the twenty fifth of March, one thousand six hundred fifty nine, hath received any Honeys for his own pay, or the pay of other Soldiers, or for any other Contingencies of the Soldiers, or Garrisons under his command, or by way of reward, shall be called to account therefor.

Military payments not to be accounted for.

And that no person whatsoever shall be called to account for any the matters in this Exception mentioned, after the four and twentieth day of June, which shall be in the year of our Lord God one thousand six hundred sixty and two next ensuing: And that in case any person who stands accountable for any Honeys received

No persons to be called to an account after the 24 of June 1662.



ceived since the first of January, One thousand six hundred forty two, and before the thirtieth of January, One thousand six hundred forty eight, have been robb'd, or plundered by Souldiers, or others, of the moneys in their hands, or any Notes, or Books of Receipt, or Acquittances touching their payments or discharge, then the Dath or Daths of such party or parties of the same respectively, shall be a good discharge for so much of their accompt. And that the Dath of every Accomptant in or between the years, One thousand six hundred forty two, and One thousand six hundred forty eight, of what they have paid to any publick use, by, or according to any publick or pretended Order or Authority whatsoever, shall be a good discharge, as to so much of the accompt of such person or persons. And except all First-fruits and Tenths in the hands of any receiver not having disbursed, as in the last Exception is expressed.

Discharges and quietus est given in the Exchequer. Accompts of the Revenues of Churches in Wales. Bribery excepted. Perjury, Subordination, Forging, Debentures, &c. Witnesses.

Provided, That all and every Judgment of Discharge, or quietus est, had, or given at any time upon any accompt in the publick Exchequer, since the year One thousand six hundred forty eight, be allowed, and shall not be avoided; except all accompts of the Revenues of Churches and Vicaridges in Wales, and the County of Monmouth, and all Judgments of Discharge, or quietus thereupon obtained; and also excepted out of this pardon all offences of Bribery, perjuries, and the Subordination of perjury, or Witnesses and Offences of forging or counterfeiting any Deeds, Debentures, Bills of publick Faith, Escripts, Wills, or other Writings whatsoever, or of any Examinations or Testimonies of any witness or witnesses, tending to bring any person or persons in danger of his Life, Liberty, or Estate, and the giving the same in evidence, and the compelling or procuring of any such counterfeiting or forging to be had or made.

Imbezelling the Kings goods.

And also excepted all offences in detaining, imbezelling, and purloining any the Goods, Money, Chattels, or Jewels of the late King, Queen, or Prince, or any of the children of the late King and Queen, other then Shipping, Stores, and Ammunitions of War, and other then such Goods and Chattels as have been sold or disposed of to any of the Servants or Creditors of his late Majesty, in or toward satisfaction of their debts or wages:

Fines, and Amerciaments, Received by Sheriffs.

And also excepted out of this pardon, all Fines, and Amerciaments, Rents, and other publick Duties being levyed, received, or collected by any Sheriff, under-Sheriff, Bayliff, Minister, or other Officer, to, or for the use of the late King, the parliament, or the said Keepers of the Liberty of England, or any other person styling himself Protector, or for his Majesty that now is, and not accompted for, and discharged.

Jesuits, and Romish Priests excepted.

And also excepted out of this pardon, all and every offence and offences committed or done by any Jesuit, Seminary, or Romish Priest whatsoever, contrary to the tenor or effect of the Statute made in the Seven and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act against Jesuits, Seminaries, Priests, and other disobedient persons, or of any part thereof, and all out-lawries, proceedings, judgments, and executions for the same offences, or any of them.

Writs of Capias Utlagat. may be directed against any person.

The party out-lawed may sue out a Scire facias against the Plaintiff. Persons out-lawed upon Capias ad satisfaciendum, &c.

Provided alwaies, and be it enacted by the Authority aforesaid, That it shall and may be lawful, to, and for all and every Clerk and other Officer of the Courts at Westminster, to award and make Writs of Capias Utlagatum, at the suit of the party plaintiff, against such persons out-lawed, as be pardoned by this Act, to the intent to compel the defendant or defendants, to make answer to the plaintiff or plaintiffs, at whose suit, he or they were out-lawed; and that every person so out-lawed shall sue a Writ of Scire facias against the party or parties, at whose suit he or they were so out-lawed, before this pardon in that behalf shall be allowed him or them so out-lawed.

Provided, and be it Enacted by the Authority aforesaid, That this Act of general pardon shall not in any wise extend to pardon any Out-lawries upon any

any writ of Capias ad satisfaciendum, until such time as the party so out-lawed shall satisfy, or otherwise agree with the party at whose suit the same person was so out-lawed or condemned.

And also excepted out of this pardon, all informations and other proceedings depending, concerning any common High-ways or Bridges, and all issues returned upon any process, concerning the same, since the thirtieth day of January, One thousand six hundred forty eight; Except also all Recognizances, Obligations, and other Securities, given or entered into, since the five and twentieth of March, One thousand six hundred and forty, by any Receiver, Reeve, Bayliff, Collector, or other accountant in the Court of the publick Exchequer, and their sureties and their accounts respectively.

Informations and proceedings concerning high-ways &c. excepted.

Provided alwaies, and be it Enacted, that this Act, or any thing therein contained, shall not extend, or be construed to pardon, or discharge any Recognizance, Obligation or Bond, which is not yet forfeited.

Obligation and recognizance not yet forfeited.

And be it further Enacted by the Authority aforesaid, that all acts of Hostility and Injuries, whether between the late King and the Lords and Commons then in Parliament assembled, or between any of the people of this Nation, which did arise upon any action, attempt, assistance, counsel or advice, having relation unto, or falling out by reason of the late troubles, or in the late wars, or publick differences between the late King and Parliament, or between His now Majesty, or any of his Subjects, and which are not in this Act excepted; That the same and whatsoever hath ensued thereupon, whether trenching upon the Lands and Liberties of this Nation, or upon the Honour of His Majesty, or upon the Honour or Authority of the Parliament, or to the prejudice of any particular or private person, shall in no time, from and after the four and twentieth day of June, in the year of our Lord, One thousand six hundred and sixty, be called in question, whatsoever be the quality of the person, or of whatsoever kind or degree, civil or criminal; the Injury is supposed to be; And that no mention be made thereof in time to come, in Judgment, or in Judicial proceedings.

All acts of hostility, injuries &c. between the King and his Parliament to be put in perpetual oblivion.

And to the intent and purposes that all names and terms of distinction may be likewise put into utter Oblivion, Be it further Enacted by the Authority aforesaid, That if any person or persons, within the space of three years next ensuing, shall presume maliciously to call or alledge of, or object against any other person or persons, any name or names, or other words of reproach, any way tending to revive the memory of the late Differences, or the occasions thereof; That then every such person, so as aforesaid offending, shall forfeit and pay unto the party grieved, in case such party offending shall be of the degree of a Gentleman or above, ten pounds; and if under that degree, the sum of forty shillings; to be recovered by the party grieved, by Action of Debt, to be therefore brought in any of His Majesties Courts of Record, wherein no Essoign, Protection, or wager of Law shall be allowed, or any more then one Imparlance, so as the same Action be commenced, or prosecuted within six moneths next after the Offence committed: And if the Jury sworn to try any Issue or Issues that shall be joyned in such Action, shall find for the plaintiff, they shall likewise give to every such plaintiff forty shillings damages, over and above the penalty aforesaid.

The penalty upon any person that shall within three years use any words of reproach or disgrace tending to revive the memory of the late differences.

Provided alwaies, that this Act, or any thing therein contained, shall not extend, or give any benefit unto any person or persons, who have had any hand in the plotting, contriving, or designing, the great and heinous Rebellion in Ireland mentioned in one Act passed in the Parliament begun at Westminster the third day of November, in the sixteenth year of King Charles, Entituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of Ireland, to their due obedience to His Majesty and Crown of England, Or in aiding, assisting, or abetting the same: (Other then such as by another Act intended hereafter to be passed, shall be therein named, mentioned, or expressed to be pardoned) nor to enure to restore to any

Persons plotting or designing the Irish Rebellion excepted.



any person or persons, bodies politick or corporate, (other then the Marques of Ormond Lord Steward of his Majesties Household, and other the protestants of Ireland,) and their Heirs, and such other person and persons, as in, and by an Act intended hereafter to be passed; shall be therein named, mentioned, or expressed in that behalf, any Estate, Liberties, Franchises, or Hereditaments, in England, or Ireland, sold, or disposed of by both, or either Houses of Parliament, or any Convention assuming the stile or Name of a Parliament, or any person or persons deriving authority from them, or any of them, or which was approved, or confirmed by them, or any of them; Nor to the mean profits, rents, or contingencies of advantage of the same.

Every person  
pardoned may  
plead the ge-  
neral Issue.

And it is further provided and enacted, That every person or persons, hereby pardoned, may plead the general Issue, without special pleading of this pardon, and give this Act of Pardon in evidence for his discharge, and that the same shall be thereupon allowed, and the advantage thereof had as fully to all intents and purposes, as if the same had been fully and well pleaded; And in such manner, as any Justice of the peace, Constable, or other Officer questioned for matters acted by them as Officers, or in execution of their Offices, may have advantage of the matter of their Justification, upon the general Issue by them pleaded, by the Lawes and Statutes of this Kingdome.

Thefts and Fe-  
lonies since  
the fourth of  
March, 1659.  
excepted.

Provided also, That this Act, nor any thing therein contained, shall extend or be interpreted to extend to pardon any person or persons whatsoever, for any Theft or Stealing of any Goods, or other Felonies, since the fourth day of March in the year of our Lord, One thousand six hundred fifty and nine, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

This Act not  
to extend to  
goods to be re-  
stored upon an  
Act for Repeal  
of two Acts  
for Sequestra-  
tions.

Provided also, That neither this Act, nor any thing therein contained, shall extend to acquit or discharge any person or persons, from making restitution of all such Rents, sums of Money, Horses, Cattel, or other Goods, which by a certain Act, or pretended Act lately made, intituled, An Act of repeal of two Acts for Sequestrations, are required to be restored to those from whom they were taken; Nor shall this present Act be construed to disable, or bar the respective owners, or proprietors, of, and from their several and respective Actions, or Suits at Law, or in equity, for, or by reason of the said, or any other Rents, Monies, Horses, Cattel, or Goods, which since the five and twentieth day of July, One thousand six hundred fifty and nine, have been by any person or persons wrongfully received, or taken away, and for which the said wrong-doers, are not in any wise Indemnified by the said, or any other Act of Repeal.

Goods, &c. se-  
questred and  
actually paid  
in to any Com-  
mittee par-  
doned.

And be it further Enacted by the Authority aforesaid, That no person or persons, who by vertue of any Order or Warrant, mediately or immediately derived from his late Majesty, or his Majesty that now is, or by vertue of any Act, Ordinance, or Order of any or both Houses of Parliament, or any of the authorities aforesaid, or any Committee or Committees, acting under them or any of them, have seized, sequestred, levied, advanced, or paid to any publick use, or into any publick Treasury within this Kingdom, any Goods, Chattels, Debts, Rents, sum or sums of Money belonging to any person or persons whatsoever, shall hereafter be sued, molested, or drawn into question for the same, but that they and every of them shall be discharged against all persons, for so much and no more of the said Goods, Chattels, Debts, Rents, sum or sums of money, as their several and respective orders of discharge or acquittances extend unto.

Receivers of  
mony private-  
ly for his Ma-  
jesties supply,  
to accompt.

Provided also, That nothing herein contained shall extend to discharge any person or persons, who have been by private order or instructions employed and intrusted, or have undertaken the employement to receive any sum or sums of money for the Kings Majesties Service or Supply, since the year one thousand six hundred forty and eight, from making their accompts for the same.

provided

provided also, that this Act shall not extend to pardon or discharge from accompt to the Kings Majesty, any person or persons, for any sum or sums of money received for that Illegal Tax of Decimation, or upon the accompt of any Militia settled or acted in, since One thousand six hundred forty and eight, and not accompted for, or paid over, or discharged to, or by any that had authority, or pretended authority to discharge the respective Receivers of the same.

Moneys received upon Decimation not pardoned.

provided also, that if any person or persons, being his Majesties Mesnial Servant, or Servants, or having, or pretending to have received particular Instructions or Directions from his Majesty, have, during the time of such his or their relation unto his Majesty, or whilst he or they were acting, or pretending to act for his Majesties Interest, in pursuance of the said Instructions or Directions, wilfully, maliciously, and traitterously held Intelligence with any foreign Prince or Princes, State or States, or with any person or persons, usurping Supreme authority in this Kingdom, or other his Majesties Dominions, or with their or either of their Ministers or Agents, and without his Majesties license, and to the intent to betray his Majesties person or Counsels; or have received any sum or sums of money, or pension for such Treachery, that then such person or persons, as to the offence in this proviso mentioned, shall be, and is hereby excepted out of this Act, any thing herein contained to the contrary notwithstanding; so as such person or persons be outlawed or otherwise legally convicted of such offence or offences, within the space of two years from the five and twentieth day of April, one thousand six hundred and sixty.

Persons that have had Directions from his Majesty, and have betrayed their trust, excepted.

Provided, that this Act of General Pardon, or any thing therein contained, shall not extend to the pardoning or discharging of any Debts or Sums of money due to, or for the Excise of any Goods or Merchandize, whereof any Entries have been made in the Custom-house, which have grown due since the twenty fifth day of March, one thousand six hundred fifty and eight, or to the pardoning or discharging of any Debts or Sums of money due to the Farmers, or pretended Farmers of Excise, since the twenty fifth day of March, one thousand six hundred fifty and seven.

Duties upon Excise, excepted.

Provided also, that this Act, nor any thing therein contained, shall extend to pardon, discharge, or give any other benefit whatsoever, unto John Lisle, William Say, Sir Hardres Waller, Valentine Wauton, Thomas Harrison, Edward Whalley, William Heveningham, Isaac Penington, Henry Martin, John Barkstead, Gilbert Millington, Edmund Ludlow, Sir Michael Livesey, Robert Tichbourn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewson, William Goff, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmond Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Augustine Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrove, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hugh Peters, Francis Hacker, Daniel Axtel, nor any of them, nor to those two persons, or either of them, who being disguised by Frocks and Alizors did appear upon the Scaffold, erected before Whitehall upon the thirtieth of January, one thousand six hundred forty and eight: All which persons for their execrable Treason, in sentencing to death, or signing the Instrument for the horrid Murder, or being instrumental in taking away the precious Life of our late Sovereign Lord Charles the first of glorious memory, are left to be proceeded against as Traytors to his late Majesty, according to the Laws of England, and are out of this present Act wholly excepted and foreprized.

Persons excepted by name.

But in regard the said Owen Row, Augustine Garland, Edmond Harvey, Henry Smith, Henry Martin, Sir Hardres Waller, Robert Tichbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs, have personally appeared,

Persons that appeared and rendered themselves.



and rendred themselves (according to the Proclamation bearing Date the sixth day of June, one thousand six hundred and sixty, to Summon the persons therein named, who gave Judgment and assisted in the said horrid and detestable murder of our said late Sovereign, to appear and render themselves) and do pretend thereby to some favour, upon some conceived doubtful words in the said Proclamation;

Be it Enacted by this present Parliament, and the Authority of the same (upon the humble desire of the Lords and Commons in Parliament assembled) That if the said Owen Row, Augustine Garland, Edmond Harvey, Henry Smith, Henry Martin, Sir Hardress Waller, Robert Tichbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs, or any of them, shall be legally attainted for the horrid Treason and Murder aforesaid; that then, nevertheless, the Execution of the said person and persons so attainted shall be suspended, until his Majesty by the advice and assent of the Lords and Commons in Parliament, shall order the Execution by Act of Parliament to be passed for that purpose.

Except also out of this present Act Oliver Cromwel deceased, Henry Ireton deceased, John Bradshaw deceased, and Thomas Pride deceased.

The Lands and Goods of the persons rendering themselves not excepted.  
St. 13 Car. 2. cap. 15.

Provided, That nothing in this Act contained shall extend to discharge the Lands, Tenements, Goods, Chattels, Rights, Trusts, and other the Perpetuities late of the said Oliver Cromwel, Henry Ireton, John Bradshaw, and Thomas Pride, or of Isaac Ewer deceased, Sir John Danvers deceased, Sir Thomas Maleverer Baronet deceased, William Purefoy deceased, John Blakiston deceased, Sir William Constable Baronet deceased, Richard Dean deceased, Francis Alleyn deceased, Peregrin Pelham deceased, John Moor deceased, John Aldred, alias Alured, deceased, Humphrey Edwards deceased, Sir Gregory Norton Baronet deceased, John Venn deceased, Thomas Andrews Alderman deceased, Anthony Stapely deceased, Thomas Horton deceased, John Fry deceased, Thomas Hamond deceased, Sir John Bouchier deceased, of, and from such pains, penalties, and forfeitures, as by one other Act of Parliament intended to be hereafter passed for that purpose, shall be expressed and declared.

Persons excepted for other penalties, not extending to life.  
Stat. 13. Car. 2. cap. 15.

And also except out of this present Act, William Lord Mounson, James Challenor, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop; All which persons did act and sit in that traitorous Assembly, which in the moneth of January, one thousand six hundred forty eight, acted and proceeded against the life of our late Sovereign, King Charles the first of blessed Memory; and are therefore reserved to such pains, penalties, and forfeitures, not extending to Life, as by another Act intended to be passed for that purpose, shall be imposed on them.

And also except Sir Arthur Heslrig, for and in respect only of such pains, penalties and forfeitures, not extending to Life, as by one Act intended to be hereafter passed for that purpose, shall be inflicted and imposed.

Persons made incapable of any Offices.

Provided alwaies, that John Hutchinson Esquire, and Francis Lassels, shall be and are hereby made for ever incapable to execute any Place or Office of Trust, Civil or Military, within this Kingdome; And that the said Francis Lassels shall pay unto our Sovereign Lord the King, one full years value of his Estate, Any thing herein before contained to the contrary notwithstanding.

Sir Henry Vane, John Lambert, excepted.

Provided alwaies, that this Act, or any thing therein contained, shall not extend to the pardoning, or to give any other benefit whatsoever, unto Sir Henry Vane, John Lambert, or either of them, but that they and either of them, are and shall be out of this present Act wholly excepted and forepuzzled.

Penalty of certain persons if they accept any Office.

Provided, that if William Lenthal, William Burton, Oliver Saint John, John Ireton Alderman, Colonel William Sydenham, Colonel John Desborow, John Blackwel of Moreclak, Christopher Pack Alderman, Richard Keeble,

Keeble, Charles Fleetwood, John Pyne, Richard Dean, Major Richard Creed, Philip Nye Clerk, John Goodwyn Clerk, Sir Gilbert Pickering, Colonel Thomas Lister, and Colonel Ralph Cobbet, shall after the first day of September, One thousand six hundred and sixty, accept, or exercise any Office, Ecclesiastical, Civil or Military, or any other publick employment within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, that then, such person or persons as do so accept, or execute as aforesaid, shall to all intents and purposes in Law, stand as if he or they had been totally excepted by name in this Act.

Provided likewise, That all those who since the fifth of December, one thousand six hundred forty eight, did give sentence of death upon any person or persons, in any of the late Illegal and Tyrannical High Courts of Justice in England or Wales, or signed the Warrant for Execution of any person there condemned (except Colonel Richard Ingolsby, and Colonel Matthew Thomlinson) shall be, and are hereby made incapable of bearing any Office Ecclesiastical, Civil, or Military, within the Kingdom of England, or Dominion of Wales, or of serving as a Member in any Parliament after the first day of September, one thousand six hundred and sixty.

Persons that gave Sentence upon any in the illegal High Court of Justice,

Provided also, and it is Enacted, That all and every the persons appointed Trustees, in a late pretended Act or Ordinance made in the year of our Lord, One thousand six hundred forty nine, for, and concerning Tithes appropriate, Oblations, Obventions, Pensions, Portions of Tithes appropriate, Offerings, Fee-farm Rents issuing out of the Tithes therein mentioned, First-fruits and other things, and enacted, or mentioned to be enacted to be vested, settled, adjudged, or deemed to be in the actual seisin or possession of such person and persons in the said pretended Act or Ordinance mentioned, and their heirs, shall accompt for, and be responsible for all Rents and Profits of the premises which came to their hands, and have not been by the said Trustees or their order disbursed, disposed, or imployed for the maintenance of Ministers, or other uses, according to the said pretended Act or Ordinance, or some other Act, Order, or Ordinance, made in the year of our Lord, one thousand six hundred fifty, one thousand six hundred fifty four, and one thousand six hundred fifty six, by any assembled, called, or reputed a Parliament, or assuming the power of Parliament, according to the intention of such Act, Acts, or Ordinances: and the Agents and Receivers under the order of the said Trustees and the occupiers and tenants of the premises, who have taken the premises or profits thereof into their hands, without agreement to pay Rent therefore, and have made no accompt or satisfaction to the Trustees aforesaid, or to some other by their order, and also the persons who have held the same, or taken the profits thereof, under any agreement to pay rent or money for the same, and have not paid the same, shall respectively accompt, pay, and make satisfaction for so much of the premises, and profits of the premises, as are unsatisfied or unaccounted for as aforesaid, and pay such arrearages of rents or money, as by such agreement remaineth unpaid by them: all which payments and accompts shall be made to such persons, and in such manner as in Parliament shall be directed. Nevertheless, it is not hereby intended, that any Minister, School-master, or other person, for whose benefit and maintenance the said pretended Acts or Ordinances were made, shall be accomptable or lyable to make satisfaction for any profits, rents, or sums of money paid to, or taken by them respectively, by vertue or colour of any order or appointment of the said Trustees, or any of them, or otherwise.

Persons intrusted by Ordinance, 1649: about Tithes accomptable.

Provided also, That this Act do not extend to pardon any Bond, taken in his late Majesties Name; before the moneth of May, one thousand six hundred forty two, for securing the proper Debt of any Servant or Receiver of the Revenue of his said late Majesty, that hath not been paid to, or by order of some lawful or pretended authority. And whereas by an order of the Six and twentieth day of May, in the year One thousand six hundred forty

Bonds in his Majesties name for securities of any his Majesties Receivers (not pardoned.)



one, the then House of Commons in Parliament did accept the sum of One hundred and fifty thousand pounds, as a composition from the Farmers of several Customs voted to be illegally taken, and some of the said Farmers did procure and pay the said whole sum of One hundred and fifty thousand pounds, at the desire of the said House of Commons; and upon their Declaration, that such of the said Farmers as did not pay their proportions, should not be pardoned, but proceeded against; and out of their Fines satisfaction should be made to those who had paid the said One hundred and fifty thousand pounds, and in pursuance thereof, did on the first of June then next following Resolve, That the Estates of such persons, living or dead, as have by colour of any Patent received monies from the Subject, under pretence of such Customs, or have been under-Sharers with the Patentees, ought to be made liable to restitution.

Payments upon proportions of 150000l. upon the Customs.

It is therefore provided, That this Act shall not extend, nor be construed to extend to pardon or indemnify any person or persons, their heirs, executors, administrators, or assigns, who have not paid their proportions of the said One hundred and fifty thousand pounds, or ought to have been contributory thereunto, from, or against misdemeanors or offences relating to the said Customs, or from payment of their proportions: But that the Estates of the dead, as well as of the living, of such who ought to have been contributory, in whose possession soever, (Purchasers bona fide, and upon valuable considerations only excepted) shall continue and be charged, and chargeable with the payment of their proportions, to all intents and purposes as if this Act had not been made, any thing herein contained to the contrary notwithstanding.

Arrears of Excise upon Beer and Ale.

Provided also, That this Act, or any thing therein contained, shall not extend, or be construed to pardon or discharge any sum or sums of money due, and arrear for Excise of Beer, Ale, or other Native or Inland Commodity, since the twenty fourth day of June, One thousand six hundred fifty and nine.

Monies due for free-quarter.

Provided also, That nothing in this Act contained shall extend to the pardoning, or discharging of any sum, or sums of money, due from any Officers, or Soldiers, to any of the Subjects of this Kingdom, for free-quarter, since the second day of July, One thousand six hundred fifty and nine, or to discharge any monies borrowed by any Officers, for preventing of free-quarter.

Purchasers bona fide of Lands, other than the Kings &c. to enjoy their purchases.

Provided also, And be it Enacted by the Authority aforesaid, That no Conveyance, Assurance, Grant, Bargain, Sale, Charge, Lease, Assignment of Lease, Grants and Surrenders, by Copy of Court-roll, Estate, Interest, Trust or Limitation of any Use or Uses of any Manors, Lands, Tenements, or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen, Prince, or of any Archbishops, Bishops, Deans, Deans or Chapters, nor being Lands or Hereditaments, sold or given, or appointed to be sold, or given, for the delinquency, or pretended delinquency of any person, or persons whatsoever, by virtue, or pretext of any Act, order or ordinance, or reputed Act, order or ordinance, since the first day of January, One thousand six hundred forty and one; Nor any Statute, Judgment, or Recognizance, had, made, acknowledged, or suffered to any person or persons, bodies politick, or corporate, before the Nine and twentieth day of September, One thousand six hundred fifty and nine, by any of the persons before in this Act by name excepted, or their Heirs, or by any other person or persons claiming, by, from, or under them, or any of them, other than the wife or wives, child, children, heir, and heirs, of such person and persons, or any of them, for money bona fide to them, or any of them paid or lent, nor any conveyance, assurance, grant, or estate, made before the Five and twentieth day of April, One thousand six hundred and sixty, by any person, or persons, to any such person excepted by Name, as aforesaid, in trust and for the benefit of any other person or persons, Bodies

Bodies Politick, or Corporate, not excepted by name, as aforesaid, shall be impeached, defeated, made void, or frustrated hereby, or by the attainder, or conviction of any such excepted Person or Persons, but that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assigns, Cestuy que use, Cestuy que trust, and every of them, their Heirs, Executors, Administrators, and Assigns, respectively, as if this Act had not been made, and as if the said person, or persons, had not been excepted, attainted, or convicted, Any Law, Statute, Usage, or Custom to the contrary thereof in any wise notwithstanding.

Provided alwaies, That this Act, or any thing therein contained, shall not extend to Indemnifie any person, or persons whatsoever, who have entred into any Messuages, Lands, Tenements, and Hereditaments, called Fabrick Lands, or possess themselves of any Rent or Revenues, given for the repair of any Cathedral or other Church, or who have Sacrilegiously enriched themselves by converting the Plate, or Utensils, and Materials, of, or belonging to such Churches, to their own private use and advantage, for, or in respect of the said Crimes only. St. 13. Car. 2. Cap. 6.

Fabrick lands;  
Church goods  
and Utensils.

## CAP. XII.

An Act for Confirmation of Judicial Proceedings.

BE it Enacted, and it is Enacted by His Majesty, and the Lords and Commons in Parliament assembled, and by the Authority of the same, That no Fines, nor final Concoords, Chirographs, or Proclamations of Fines, nor any Recoveries, Verdicts, Judgments, Statutes, Recognizances, nor Inrolments of any Deeds or Wills, or any of such Fines, Proclamations, Recoveries, Verdicts, Judgments, Statutes, or Recognizances, nor any Exemplifications of them, nor any of them, nor any Inquisitions, Indictments, Presentments, Informations, Decrees, Sentences, Probats of Will, nor Letters of Administration, nor any Writs or Actings on, or Returns of Writs, Orders, or other Proceedings in Law or Equity, had, made, given, taken, or done, or depending in the Courts of Chancery, Kings Bench, Upper Bench, Common Pleas, and Court of Exchequer, and Courts of Exchequer-Chamber, or any of them sitting at Westminster, or in the Courts of the Great Sessions in Wales, the Courts of any Counties Palatine, or Duchy of Lancaster, or Town of Berwick upon Tweed, or in any other inferiour Courts of Law or Equity; or by any the Judges, Clerks, Officers, Sheriffs, Coroners, or Ministers, or others, Acting in Obedience to them, or any of them, or by any the Courts of Admiralty, Delegates, Justices of Assize, Nisi Prius, Oyer and Terminer, Gaol-Delivery, Justices of the Peace, Commissioners of Sewers, Bankrupts, or Charitable Uses, nor any Actings, Process, Proceedings, nor Executions thereupon had, made, given, done, or suffered, in the Kingdom of England, since the First of May, One thousand six hundred forty two, shall be avoided for want or defect of any Legal Power in the said Courts, Judges, Commissioners, Justices, or any of them; or for, or by reason that the Premises, or any of them, were commenced, Prosecuted, had, made, held, or used, in the Name, Stile, or Title of the late King, or in the Name, Stile, Title, or Test of Custodes Libertatis Angliæ Autoritate Parliaménti; or in the Name, Stile, Title or Test of the Keepers of the Liberty of England by Authority of Parliament; or the Name, Stile, Title, or Test of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging; or of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; or the Name, Stile, Title or Test of Richard, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, or for, or by reason of any alteration of the said Names, Stiles, or Titles: or for that the said Fines, Recoveries, Pro-

What Acts  
and proceed-  
ings shall not  
be avoided.

cess,



cess, Pleadings, Proceedings, and other things before mentioned, Or the Entry and Enrolment of them, or any of them, were in the Latine or English; But that all and every such Fines, Recoveries, and other things above mentioned, and the Actings, Doings, and Proceedings thereupon, shall be of such, and of no other Force, Effect, and Vertue, then as if such Courts, Judges, Justices, Commissioners, Officers, and Ministers, had Acted by vertue of a True, Just, and Legal Authority, and as if the same, and the Entry and Enrolment thereof were in Latine, and as if the several Acts and Ordinances, or pretended Acts or Ordinances made by both or either Houses of Parliament, or any Convention assembled under the name of a Parliament, or by Oliver Cromwel, late Stiled Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, and his Council Warranting or Directing such proceedings, had been Good, True, and Effectual Acts of Parliament.

Fines Levied  
without Entry,  
or Licentia  
concordandi.

And whereas, since the death of the late King, several Fines have been Levied without any Entry, or due Entering of any sum paid pro licentia concordandi, commonly called the Kings Silber, and without Entry, or due Entry of any sum given to the party for the Concord: And also whereas in the Term of St. Michael last past, several Fines were Levied and Recorded in the Court of Common Pleas, before one Judge only of the said Court:

Fines and Recoveries of  
Lands in  
Durham.

Be it Enacted, That the said Fines and Proclamations thereupon, and every of them, shall be good and effectual, notwithstanding the defects aforesaid.

And be it also further Enacted, That all Fines, Proclamations of Fines, Recoveries, and other Judicial proceedings in the Court of Common Pleas at Westminster, since the death of His late Majesty King Charles the First, had, Levied, or Suffered, of any Lands lying in the County Palatine of Durham, shall be good and effectual, notwithstanding the said Lands were lying in the said County Palatine.

The illegal  
proceedings of  
that High  
Court of Justice  
not allowed.

Provided, That this Act, or any thing therein contained, shall not be Construed, Deemed, or Adjudged to make good, allow, confirm, or countenance any the Proceedings in the late Illegal and Unwarranted High Courts of Justice, or so called, or any of them. And whereas since the first day of May, in the year of our Lord, One thousand six hundred forty one, and before the five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, there were divers Persons that Adhered to both Houses of Parliament, who, for, or in respect of such their adherence, were Indicted, Charged, or Impeached of Treason: And whereas since the said first day of May, in the year of our Lord, One thousand six hundred forty one, and before the said five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, divers persons who adhered to His Majesty, or to the late King, were for such their adherence Charged, Impeached, or Indicted of High Treason:

Indictments,  
&c. and all  
grants there-  
upon made  
void.

Be it further provided and Enacted, That the said Charges, Impeachments, Indictments, and all Exigents, Outlawries, Convictions, and Attainders thereupon, and all Letters Patents and Grants thereupon made, of any Mannors, Lands, Tenements, or Hereditaments, Escheated or forfeited by reason of such Attainder, and all Title to any meane Profits by reason of such Conviction, Outlawry, Attainder, or Grant, be from henceforth repealed and discharged: And that all Escheats, Forfeitures, and Confiscations by reason of such Outlawries, Conviction, or Attainder, Be and are hereby restored unto such Persons so Outlawed, Convicted, or Attainted, their Heirs, Executors, and Administrators respectively, as if no such Attainder had been.

Sales made by  
Ordinance of  
Parliament.

Provided Nevertheless, And be it Enacted, That this Act, or any thing herein contained, shall not extend to avoid or confirm any Sales or Estates made by vertue or pretence of any Act, Order, or Ordinance, or reputed Act, Order or Ordinance of Parliament, since the first day of May, in the year of our Lord, One thousand six hundred forty two, nor any Confirmation thereof made,

or

or to be made thereof in this present Parliament, but that such Sales stand and be in the same plight and condition as they should or might have done if this Act had not been made.

And be it further Enacted by the Authority aforesaid, That all Recognizances, Obligations, or other Securities, made or given to the Keepers of the Liberty of England by Authority of Parliament, or to Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, or to Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, or to Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, and not pardoned, or discharged by any Act passed, or to be passed this present Parliament, or otherwise, other than such Recognizances, Obligations, and Securities as have been made and given (to any the pretended power or persons aforesaid, or to any deriving or pretending to derive Authority from them) by any person or persons, for, or by reason of their adherence to His Majesty, or His said late Royal Father, or relating to, or arising only upon, or in respect of the late Troubles, All which are hereby declared to be void, and to be delivered up to be Cancelled, And all Judgments, Extents, Inquisitions, Executions, and Seizures had for the said Keepers or Protectors, or any of them, and not likewise pardoned or discharged, other than as aforesaid, shall and may be had and prosecuted in the name, and to the use of His Majesty, His Heirs or Successors; and also excepting all Obligations, Bonds, or Recognizances entered into the said Keepers, or Protectors, or any of them, by any person or persons, by Order, or Direction of any Council of State, Committee of Safety, Major Generals, Decimators, or any Officer or other person under them, or any other Military power; all which Obligations, Bonds, and Recognizances are hereby discharged and declared to be nul and void, to all intents and purposes.

Recognizances, Obligations, &c. in the names of the late Protectors.

Provided also, and be it Enacted, That this Act or any thing therein contained, shall not extend to continue, after the eighth day of May, in the year of our Lord, one thousand six hundred and sixty, any Justice or Justices of one Bench or the other, or Barons of the Exchequer, Serjeants at Law, Commissions of Sewers, Commissions of Bankrupts, or of charitable uses, made or constituted, by or in the Name or Style of any the late pretended powers or authorities.

Justices, Serjeants, &c. Commissioners of Sewers.

Provided also, That it shall and may be lawful to and for every person and persons, who shall find themselves grieved or damaged by any Judgment, Fine, Recovery, Decree, or Sentence given, made, levied, granted, or pronounced in any of the said Courts, to proceed in due form of Law, either by Writ of Error, Bill of Review, Appeal, or other lawful remedy, for the Reversing, Annulling or Revoking of the same, in such manner as they might at any time heretofore have done, if the said Courts had been established by lawful Authority, other than for those Errors and Defects which are remedied or provided for by this Act.

Writs of Error may be brought.

Provided also, And be it further Enacted by the Authority aforesaid, That no Non-claim upon or after any Fine or Fines hereby made good or confirmed, shall extend, or be construed to Bar or Prejudice any person or persons, their Heirs or Successors, or their Feoffees or Trustees (other than the parties to the said Fines and their Heirs general and special, and his and their Trustees (as concerning such Right, Claim, and Interest, as they had in or to any Lands, Tenements, or other Hereditaments, which by colour of any Act, Order, or Ordinance of both or either Houses of Parliament, or any Convention sitting at Westminster, under the Name or Style, or assuming the Name or Style of a Parliament, since the first day of May, in the year of our Lord, One thousand six hundred forty and two, and before the fifth and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, were Sold, Conveyed,

Non-claim upon fines of lands sold by Ordinance of Parliament.



veyed, or Disposed, as then, or late the Lands, Tenements, and Hereditaments of the King, Queen, or Prince, or of Archbishops, Bishops, Deans, Deans and Chapters, or other Ecclesiastical persons, or as the Lands, Tenements, and Hereditaments of any persons, for their Adherency to the late King, or his Majesty that now is, or for any their Actings relating to, or in respect of the late Troubles; so alwaies that the said person or persons aforesaid, their Heirs or Successors, pursue their Title, Claim, or Interest, by way of Action or lawful Entry, within five years next after the nine and twentieth day of May, in the year of our Lord, one thousand six hundred and sixty.

The late Government declared to be usurped.

And although in this Confirmation of Judicial Proceedings, it was necessary to mention Divers pretended Acts and Ordinances, by the Names and Stiles which those Persons then Usurped who took upon them to pass the same, Namely, some by the Stile and Name of the Keepers of the Liberty of England, by authority of Parliament, and others by the Name and Stile of protectors of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; Yet this present Parliament doth Declare, and it is Enacted by Authority of the same, That the Names and Stiles aforesaid, and every of them, are most Rebellious, Wicked, Trayterous, and Abominable Usurpations, Detested by this present Parliament, as Opposite in the highest Degree to his Sacred Majesties most Just and undoubted Right, to whom, and to his Heirs and Lawful Successors, the Imperial Crowns of the Realms of England, Scotland, and Ireland, with their, and every of their Dominions and Territories do of Right appertain, and as violating and Infringing the just Rights and Priviledges of Parliament, and of both Houses thereof now Assembled, or that hereafter shall be called and assembled,

Recognition of his Majesties just title.

Indictments of treasurers, &c. for levying wars against Oliver Cromwell &c. made void.

Provided alwaies, and be it Enacted, That all and every pretended Indictment or Indictments, Outlaws, Inquisitions, and all Proceedings thereon of High Treason against any Person or Persons whatsoever, For Levying War against the late Tyrant Oliver Cromwell, the pretended Keepers of the Liberty of England, or any other usurped Power, shall be from henceforth void and of none effect in Law. And that all Grants, Conveyances, Leases, Devices, Assurances, Statutes, Recognizances, and Judgments for Debt, Damages heretofore Had, Made, or Suffered by any person, or his Heirs, whose Conviction, Attlagary, or Attainder is by this Act discharged and made void, shall be of the same force and effect, as if no such Conviction, Out-lawry, or Attainder had been. St. 13. Car. 2. cap. 6.

### C A P. XIII.

An Act for restraining the taking of Excessive Usury.

Abatement of interest advantageous to trade.

Forasmuch as the Abatement of Interest from Ten in the Hundred in former times, hath been found by notable experience Beneficial to the Advancement of Trade, and Improvement of Lands by good Husbandry, with many other considerable advantages to this Nation, especially the reducing of it to a nearer proportion with Foreign States with whom we Traffique. And whereas in fresh memory the like fell from Eight to Six in the Hundred, by a late constant practise hath found the like Success to the general contentment of this Nation, as is visible by several Improvements. And whereas it is the endeavour of some at present to reduce it back again in practise to the allowance of the Statute, still in force, to Eight in the Hundred, to the great discouragement of Ingenuity and industry in the Husbandry, Trade, and Commerce of this Nation.

None to take above six shillings for an hundred pounds.

Be it for the Reasons aforesaid, Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, That no person or persons whatsoever, from and after the twenty ninth day of September, in the year of our Lord, One thousand six hundred and sixty, upon any Contract,

Contract, shall from and after the said twenty ninth of September, take directly or indirectly, for Loan of any Moneys, Wares, Merchandize, or other Commodities whatsoever, above the value of Six Pounds for the forbearance of one Hundred Pounds for a Year; and so after that Rate for a greater or lesser Sum, or for a longer or shorter time. And that all Bonds, Contracts, and Assurances whatsoever made after the time aforesaid, for payment of any principal or money to be lent or covenanted to be performed upon or for any Usury, whereupon or whereby there shall be reserved or taken above the Rate of Six pounds in the Hundred, as aforesaid, shall be utterly void. And that all and every person or persons whatsoever, which shall after the time aforesaid, upon any Contract to be made, after the said twenty ninth day of September, take, accept, and receive, by way or means of any corrupt Bargain, Loane, Exchange, Cheivsaunce, Shift, or Interest of any Wares, Merchandise, or other thing or things whatsoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance for the forbearing or giving day of payment for one whole year, or, and for their Money, or other thing, above the Sum of Six pounds for the forbearing of One hundred pounds for a year; and so after that Rate for a greater or lesser Sum, or for a longer or shorter Term, shall forfeit and lose for every such offence, the treble value of the Moneys, Wares, Merchandise, and other things so Lent, Bargained, Sold, Exchanged, or Shifted.

And be it further Enacted by the Authority aforesaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Dyver and Dyvers of Bargains for Contracts, who shall after the said twenty ninth day of September, take or receive, directly or indirectly, any Sum or Sums of Money, or other reward or thing, for Brokage, Soliciting, Dying, or Procuring the Loane, or forbearing of any Sum or Sums of Money, over and above the Rate or Value of five shillings for the Loane, or forbearing of one hundred pounds for a year, and so rateably, or above twelve pence for making or renewing of the Bond or Bill for the Loan, or for forbearing thereof, or for any Counterbond or Bill concerning the same, shall forfeit for every such Offence twenty pounds, and have Imprisonment for half a year. The one moiety of all which forfeitures to be to the King our Sovereign Lord, His Heirs and Successors, And the other moiety to him or them that will sue for the same, in the same County where the several Offences are committed, and not elsewhere, by action of Debt, Bill, Plaint, or Information, in which no Essoign, Wager of Law, or protection to be allowed. St. 13. Car. 2. cap. 13.

How much  
Scriveners  
may take.

## CAP. XIV.

An Act for a Perpetual Anniversary Thanksgiving, on the nine and twentieth day of May, for his Majesties happy Restoration.

FORasmuch as Almighty God the King of Kings, and sole Disposer of all Earthly Crowns and Kingdoms, hath by his All-swaying Providence and Power miraculously demonstrated in the view of all the World, his transcendent Mercy, Love, and Graciousness, towards His most Excellent Majesty, Charles the second, by his especial Grace, of England, Scotland, France, and Ireland King, Defender of the true Faith, and all his Majesties Loyal Subjects of this his Kingdom of England, and the Dominions thereunto annexed; by his Majesties late most wonderful, glorious, peaceable, and joyful Restoration to the actual possession and exercise of his undoubted hereditary Sovereign and Regal Authority over them (after sundry years forced extermination into Foreign parts, by the most Trayterous Conspiracies, and armed power of usurping Tyrants, and execrable perfidious Traytors) and that without the least opposition, or effusion of blood, through the unanimous, cordial, loyal Votes of the Lords and Commons in this present Parliament assembled, and passionate desires of all other his Majesties Subjects; which unexpressible blessing (by Gods own most wonderful dispensation) was compleated on the twenty ninth day of May last past;

His Majesties  
Restoration  
on his birth-  
day.



being the most memorable Birth-day, not only of his Majesty, both as a man and Prince, but likewise as an actual King, and of this and other His Majesties Kingdoms, all in a great measure new born and raised from the dead on this most joyful day, wherein many thousands of the Nobility, Sentry, Citizens, and other his Lieges of this Realm, conducted His Majesty unto His Royal Cities of London and Westminster, with all possible expressions of their publick Joy and Loyal Affections in far greater triumph than any of His most victorious Predecessors Kings of England, returned thither from their Foreign Conquests, and both His Majesties Houses of Parliament, with all Dutiful and Joyful Demonstrations of their Allegiance publickly received, and cordially congratulated His Majesties most happy Arrival, and Investiture in His Royal Throne, at His Palace at Whitehall; Upon all which considerations, this being the day which the Lord himself hath made and crowned with so many publick Blessings and signal Deliverances, both of His Majesty and His People, from all their late most deplorable Confusions, Divisions, Wars, Devastations, and Oppressions, to the end that it may be kept in perpetual Remembrance in all Ages to come; and that his Sacred Majesty will with all His Subjects of this Realm, and the Dominions thereof, and their Posterities after them, might annually celebrate the perpetual memory thereof, by sacrificing their unfeigned hearty publick Thanks thereon to Almighty God, with one heart and voice, in a most devout and Christian manner, for all these publick benefits received and conferred on them, upon this most joyful day. Be it therefore Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and singular Ministers of Gods Word and Sacraments, in every Church, Chappel, and other usual place of divine service, and publick prayer, which now are, or hereafter shall be within this Realm of England, and the respective Dominions thereof, and their Successors shall in all succeeding Ages annually celebrate the twenty ninth day of May, by rendering their hearty publick Praises and Thanksgivings unto Almighty God, for all the forementioned Extraordinary Mercies, Blessings, and Deliverances received, and mighty Acts done thereon, and Declare the same to all the People there assembled, and the Generations yet to come, that so they may for ever praise the Lord for the same, whose Name alone is Excellent, and His Glory above the Earth and Heavens. And be it further Enacted, That all and every person and persons inhabiting within this Kingdom, and the Dominions thereunto belonging, shall upon the said day annually resort with diligence and devotion to some usual Church, Chappel, or place where such publick thanksgivings and praises to Gods most Divine Majesty shall be rendered, and there orderly and devoutly abide during the said publick Thanksgivings, Prayers, Preaching, Singing of Psalms, and other service of God there to be used and ministered. And to the end that all persons may be put in mind of their duty thereon, and be the better prepared to discharge the same with that piety and devotion as becomes them: Be it further Enacted, That every Minister shall give notice to his Parishioners publickly in the Church at morning prayer the Lords day next before every such twenty ninth day of May, for the due observation of the said day, And shall then likewise publickly and distinctly read this present Act to the people. St. 13. Car. 2. c. 11.

The 29th of May to be annually celebrated.

All persons to resort to some publick place of thanksgiving on that day.

Notice of this Act to be given the next Lords day before.

C A P. XV.

An Act for the speedy Disbanding of the Army, and Garrisons of this Kingdom. EXP.

C A P. XVI.

An Act inabling the Souldiers of the Army, now to be disbanded, to Exercise Trades.

Souldiers instrumental in His Majesties Restoration.

**W**hereas there are divers Officers and Souldiers now in the Kings Majesties Service, under the Command of his Excellency George Duke of Albemarle, Captain General of His Majesties Armies, who have been

been Instrumental, by the blessing of Almighty God, to the Happy Restitution and Restozation of his Sacred Majesty unto his Kingdoms and People, and and to his Just Right of Government in the Kingdom of England, and the Dominions and Territories thereunto belonging; some of which are men that used Trades, others that were Apprentices to Trades, who had not served out their Times, and others who are apt and fit for Trades, many of which, the Wars being now ended, would willingly Imploy themselves in those Trades they were formerly accustomed unto, or which they are apt and able to follow and make use of for the getting of their Living by their Labour and Industry; but are, or may be hindered from exercising those Trades in certain Cities, Corporations, and other places within this Kingdom, because of certain by-Laws and Customs of those places, and of a Statute made in the fifth year of the late Queen Elizabeth, Prohibiting the use of certain Trades by any person that hath not served as an Apprentice to such Trades by the space of seven years; for remedy whereof, And to the end that those persons who were in Actual Service under the Command of the said Captain General on the five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, and were Instrumental to the happy restitution of the Kings Majesty unto his Just right of Government, as aforesaid, may not be deprived of a means of Livelihood; May it please your Majesty, that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority thereof, That all such Officers and Souldiers, who were under the Command of the said Captain General on the five and twentieth day of April, in the said year of our Lord, One thousand six hundred and sixty, and have not since deserted the Service, or refused to take the feveral Oaths of Supremacy and Allegiance unto the Kings Majesty that now is, his Heirs and Successors, and that have heretofore used or exercised any Trade, though they did not serve out the time of their Apprentiship; or any other person imployed as aforesaid under the Command of the said Captain General at the time aforesaid, that is apt and able to practise any Trade, may set up and exercise such feveral and respective Trades, Mysteries, or Occupations, whereunto he or they have been bound Apprentice, and served any part of his or their time, or any Handicraft or other Trade exercised about Manufactures, though he was never bound Apprentice to the same, in manner following; (that is to say) Such of them as have been Apprentices, as aforesaid, may set up and exercise such feveral and respective Trades whereunto he or they have been so bound Apprentices, as fully as if they had served out their respective terms, or times for which they have been bound; and shall have and enjoy the same Immunities as they should have had and enjoyed, if they had served out their said terms or times. And all others of the said Officers and Souldiers, may set up and exercise such Trades they are apt and able for, in the feveral Towns and Places within the feveral and respective Counties wherein they were born, without any suit, let, or molestation of any Person or Persons whatsoever, for or by reason of the using of such Trade. And if any such Officer or Officers, Souldier or Souldiers, shall be sued, impleaded, or indicted in any Court whatsoever, within this Kingdom, for using or exercising any such Trades as aforesaid; then the said Officer or Officers, Souldier or Souldiers, making it appear to the same Court where they are so sued, impleaded, or indicted, that they have served the Kings Majesty under the Command of the said Captain General as aforesaid, and that they have feverally taken the said Oaths of Supremacy and Allegiance, and have not since deserted the said Service, shall upon the General Issue pleaded, be found not guilty in any Plaint, Bill, Information, or Indictment, exhibited against them; and such Persons who, notwithstanding this Act, shall prosecute their said Suit by Bill, Plaint, Information, or Indictment, and shall have a Verdict palse against them, or become Nonsuit therein, or discontinue their said Suit, such Person or Persons

Souldiers under General Monck, 25. April, 1660. may exercise Trades.

Apprentices to enjoy all Immunities as if they had served their time.

The general issue pleaded upon this Act.



shall pay unto such Officer or Officers, Soldier or Soldiers, double costs of Suit to be recovered as any other costs at common Law may be recovered; And all Judges and Jurors, before whom any Suit, Information, or Indictment shall be brought, and all other persons whatsoever, are to take notice of this present Act, and shall conform themselves thereunto; any Statute, Law, Ordinance, Custom, or Provision to the contrary in any wise notwithstanding.

How an Officer or Soldier may prove his being in service within this Act.

Provided, that no Officer or Soldier shall have the benefit of this Act, that shall not prove his Service as aforesaid, either by a Certificate under the Hand and Seal of some field Officer, and two Commission-Officers of the Regiment wherein he served, or some General-Officer of the Army, certifying his knowledge of the Service aforesaid; and the said Certificate to be proved by one Witness at least, to be a true Certificate; or for default of such Certificate, by the Oaths of two credible persons at least.

Penalty upon false Certificates.

Provided also, that if any person or persons pretending themselves to have been Officers or Soldiers within the qualifications aforesaid, shall produce a false Certificate to the intent to have the benefit of this Act, and thereof be convicted by confession, or due proof of Law, shall suffer Imprisonment not exceeding six moneths, and to lose the benefit of this Act, any thing therein contained to the contrary in any wise notwithstanding.

Soldiers, Tradesmen to submit to all offices and orders in Corporations, and Companies of their Manufacture.

Provided also, and be it enacted, that the said Officers and Soldiers in this Act mentioned, and all other persons exercising or that shall exercise any Trade or Profession in any City or Corporation, shall be liable to bear all Offices in the said respective Cities and Corporations, when by the said Cities and Corporations they shall be elected thereunto, and shall submit to such Orders of Corporations and Companies for search of the well and true making of their Manufacture, as others free of the said Companies or Corporations are subject unto; any Law, Usage, or Custome to the contrary notwithstanding.

#### C A P. XVII.

An Act for the Confirming and Restoring of Ministers.

Preamble.

Whereas much as the confirming of some Ecclesiastical persons and Ministers in possession, and restoring of others who have been sequestred or ejected, and are fit to be restored in and to their several Ecclesiastical Benefices, Livings and Promotions, without force or suit of Law, will much conduce to the peace and welfare of this Church and Kingdom: Be it enacted by the Kings most excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, and by authority of the same, that every Ecclesiastical person or Minister, being Ordained by any Ecclesiastical persons before the five and twentieth day of December last past, being of the age of four and twenty years, and having not renounced his Ordination, who hath been formerly since the first day of January in the year of our Lord, One thousand six hundred forty two, presented, nominated to, or placed in, and in actual possession, and taking the profits of any Ecclesiastical Benefice, Rectory, Parsonage, Vicaridge, Church, Chappel, Cure, or other Ecclesiastical promotion with cure of Souls, within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, which hath become void, either by death, voluntary resignation, or surrender, or other avoidance, to the Patron, or any other person pretending to have title to accept of resignations, since the said first day of January, and before the said five and twentieth day of December last past, and was on the said five and twentieth day of December in possession, and received the profits thereof, being in the gift, donation, presentation, collation, or nomination of the Kings Majesty that now is, or of his late Royal Father King Charles the first, in right of the Crown, or by reason of Ward.

Certain ordained Ministers having been in actual possession, restored.

Marriage, or any other title, or of any Archbishop, Bishop, Dean and Chapter, Prebend, Arch-deacon, Body Politique or Corporate, or of any other person or persons whatsoever, other then such as are hereby restored, shall be, and is hereby declared, adjudged, and enacted to have been, be, and continue the real and lawful Incumbent, Parson, Rector, Vicar, and possessor of the said Ecclesiastical Benefices, Livings, and Promotions respectively, to all intents and purposes whatsoever, as if he or they had been nominated, presented, collated, admitted, instituted and inducted thereunto, or placed therein in due form of Law, and had read and subscribed the Articles according to the Statute in that case made and provided, and notwithstanding any other matter or thing by him or them done or omitted to be done; And that as well against the Kings Majesty, and against his Heirs and Successors, as against all and every other person and persons, Bodies Politique and Corporate whatsoever, and their respective Successors, Heirs, Executors, Administrators and Assignes; Saving to the Patrons and every of them their just right of patronage, donation, presentation, collation, or nomination upon the next avoidance of every such Ecclesiastical person, Minister or Incumbent hereby confirmed as is aforesaid, in as full and ample manner as if this Act had not been made.

The King bound.

The next avoidance to be in the rightful Patrons.

And be it Enacted by the Authority aforesaid, that every voluntary surrender or resignation made by any Incumbent to the Patron of any Benefice, or to any late pretended powers since the said first day of January, of any Ecclesiastical Benefice or promotion, shall be adjudged as an effectual avoidance of such Benefice or promotion, as if the same had been made to the competent Ordinary, and accepted by him.

Voluntary resignations confirmed.

And be it further Enacted, that no presentation, collation, or disposition aforesaid, nor confirmation by this Act, of any Person or Minister, in or to any Ecclesiastical Benefices, Livings or promotions aforesaid, shall be construed or adjudged to amount to any usurpation in Law, to the prejudice of any person or persons, Bodies Politique or Corporate, who have or shall have right to present thereunto upon the said avoidance.

The former presentations, &c. shall make no usurpation.

And be it further Enacted, that every Ecclesiastical Person or Minister, formerly sequestered or ejected, dispossessed and kept out after lawful presentation and perception of the profits of any of the said Ecclesiastical Benefices, Livings or Promotions, which hath not subscribed any Petition to bring the late King Charles of blessed memory to trial, or which hath not by writing, preaching, printing, or any other open Act procured, endeavoured, or justified the murder of the said late King; or which hath not by preaching, printing, writing, or constant refusal to Baptize, declared his judgment to be against Infant-baptism, shall be restored to the same, and to the possession thereof, at or before the five and twentieth day of December next ensuing: And that every Ecclesiastical person aforesaid, who shall be removed, shall or may enjoy the Tythes, Profits, Duties, Glebes and Houses thereunto belonging, until the said five and twentieth day of December next ensuing, and shall then upon such removal peaceably leave or yield up the possession thereof, and shall also give his penal Bond to the person or Minister so to be restored, to render to him, his executors, administrators and assignes, the full moiety of the clear profits and Tythes, or the value thereof (to be ascertained by the Commissioners hereafter appointed under their hand) from Michaelmas last past to Michaelmas next ensuing, (all Taxes and other requisite charges and expences first deducted & allowed before the removal of the Goods of the person or Minister so to be removed) or the Tythes or other profits from the same, at or upon the said five and twentieth day of December; And the said person or Minister so to be removed upon his quitting the possession at the time aforesaid, shall be, and is hereby absolutely discharged and acquitted from all Tythes and profits received, and all and every arrears thereof other then the moiety of the profits and Tythes secured by Bonds aforesaid, before and until the

How the persons to be restored are to be qualified.

The time how long the present Incumbent shall stay in.

The moiety of the profits of the living to be paid to the restored Minister.



the said Feast of S. Michael next ensuing, against the person or Minister so restored, his executors, administrators and assignes, and against all other person or persons whatsoever.

No Minister  
to be restored  
to above one  
Benefice.

Provided alwaies, that every minister, not scandalous, ignorant, or insufficient as aforesaid, being proved, as aforesaid, heretofore sequestred or ejected out of two or more Ecclesiastical Benefices or Livings with cure of Soules, shall be restored to one of them and no more at his Election, except where he hath formerly resigned or surrendered any of the said Benefices or Livings, and thereupon the right Patron, or any other in his right, hath presented, collated, nominated, placed, or put into the same any other Incumbent or Minister as aforesaid, in which case the said sequestred or ejected Minister shall not be restored to such Benefice or Living so resigned or surrendered as aforesaid.

Provided also by the Authority aforesaid, that every Minister who by vertue of this Act is confirmed in any Ecclesiastical Benefice or Living, with cure of Soules, which shall have more then one Ecclesiastical Benefice or Living, with cure of Soules, shall hold and enjoy only one of them, and no more at his Election; except where he hath formerly resigned or surrendered any of the said Benefices or Livings, and thereupon the right Patron, or any other in his right hath presented, collated, nominated, placed, or put into the same any other Incumbent or Minister as aforesaid, in which case the Minister so to be confirmed, shall and may retain and keep the Benefice or Living which he hath not so resigned or surrendered as aforesaid.

The party to  
be restored  
may confirme  
the present  
possessors  
right.

And be it likewise Enacted, that where the Person or Minister formerly sequestred or ejected, shall declare his consent in writing, before the Commissioners appointed by this Act, that the present Possessor being not scandalous, ignorant, or insufficient, shall be and continue in such sequestred Benefice, Living, or Promotion, that in such case the present Possessor shall be hereby settled and confirmed therein, as the sole and rightful Incumbent and Possessor thereof to all intents and purposes, any former Statute or Law to the contrary notwithstanding. And that every Person or Minister who shall be removed by this Act, shall pay all Tenths not pardoned, and repair, or make satisfaction for all wilfull or negligent Dilapidations made or suffered by him, of, in, or upon the premises or any of them since the twenty ninth of September last; And shall likewise pay or satisfie all Fifths or any other sum in lieu of Fifths which were in arreare or unpaid at the Feast of Saint Michael the Archangel last past, due or payable by him, by any order or orders not reversed of any Committees or Commissioners formerly appointed and authorized by any pretended authority, or authorities whatsoever, to grant and set out the same, or otherwise pay or satisfie all arrears then due of any sum or sums of money payable by agreement of the parties, and not since quitted by like Agreement, the same to be ascertained by the said Commissioners; For payment whereof the Minister so to be removed, before his removal shall also give his penal Bond or Bonds unto the Minister to be restored, to pay the same before the five and twentieth of December next, And if he shall refuse to give such Bond or Bonds unto the Minister to be restored, shall be, and is hereby enabled to bring an Action of Debt at the Common Law for the said arrears, and shall recover over and above the said Debt the full value in Damages besides costs of Suit.

Party removed  
to pay Tenths  
and answer for  
Dilapidations.

And pay  
Fifths.

Bond for them

Action for  
them.

Fifths.

Parson Hony-  
wood.

And it is further Enacted by the Authority aforesaid, that every Ecclesiastical Person or Minister now in possession of any Ecclesiastical Benefice, Living or Promotion, which shall continue and be settled therein by vertue of this Act, shall pay all such arrears of Fifth or other sums of money in lieu thereof, due or payable by him by any such order or orders or agreement as aforesaid: Or to master Honywood Parson of Kegworth in Leicesterhire who hath been beyond Sea since the said first of January, One thousand six hundred forty two, who hath therefore had no order nor agreement for his Fifths as have accrewed due or payable out of such Ecclesiastical Benefice, Living or Promotion, during

ring such time as he hath been possessed thereof to such Person or Minister as hath been formerly ejected or sequestered out of the same.

And whereas divers Fifths or sums of money in lieu thereof are in arrear, and unpaid by such as have been formerly possessed of Sequestered Livings, It is further Enacted by Authority aforesaid, that every Ecclesiastical Person or Minister now living, or the Executors or Administrators of every Ecclesiastical Person or Minister deceased, to whom any Fifths or sums of money in lieu thereof, are or were due or payable by any such order or agreement, or to the said Master Honeywood as aforesaid, and are yet in arrear, shall have the said Fifths or sums of money in arrear as aforesaid paid unto them respectively: And they are hereby respectively enabled to recover the same by Action of Debt at the Common Law, to be brought against every such person or Minister who ought to have paid the same by virtue of any such order or agreement, or to the said master Honeywood as aforesaid, during the respective possession of such Ecclesiastical Benefice, Living or Promotion, of or for which the said Fifths or sums of money in lieu thereof, were or ought to have been or to be paid, in all which Actions no Escoigne, Tager of Law, or protection shall be allowed. And that no person to whom Fifths have been formerly paid, shall be hereafter questioned for the same.

Arrears of  
Fifths.

And be it also Enacted, That every such Ecclesiastical Person or Minister that is or shall be by virtue of this Act removed out of, or confirmed in any such Benefice, Living, or Promotion, which now is or hath been possessed as aforesaid, his or their Executors, Administrators and Assignes, shall be and is respectively enabled to have, hold, and enjoy all the mean profits already received, and to receive, recover, collect, or compound for, and enjoy all and every the arrear of Tithes, profits or duties thereunto belonging, or which shall belong thereunto, incurred during such time as he was so possessor thereof, and before or until the Feast of S. Michael the Archangel now next ensuing, and to sue for the same in any Court of Common Law or Equity, as if he or they had been, and were the true and lawful Incumbent or Possessor of such aforesaid Ecclesiastical Benefice, Living or Promotion.

Arrears of  
Tithes.

Provided also, and be it Enacted by the Authority aforesaid, That if any Minister or other such Ecclesiastical Person as aforesaid, having any Ecclesiastical Benefice or Living with Cure of Souls, who is before, in and by this Act declared, adjudged, and enacted to continue the real and lawful Incumbent thereof, which hath petitioned to bring the late King Charles of blessed memory to Tryal, or which hath by writing, preaching, printing or any other open Act procured, endeavoured or justified the murder of the late King, or which hath by preaching, printing, writing, or constant refusal to baptize, declared his judgment to be against Infant-baptism, that then such Minister or other Ecclesiastical person shall not remain, continue, and be, or be taken to be the real and lawful Incumbent of the Ecclesiastical Benefice or Living, but the same shall become, and is hereby declared to be void to all intents and purposes, as if the said Minister or other Ecclesiastical Person were dead, and that the patron who hath the next and immediate right to present unto the same shall and may present unto the said Ecclesiastical Benefice or Living as in case of vacancy or avoidance by death of the Incumbent, Any thing in this Act contained to the contrary thereof notwithstanding.

Persons restored  
how to be  
qualified.

And it is further Enacted, That the persons in Commission of the Peace in the several Counties of this Realm, the Dominion of Wales, and the Town of Berwick upon Tweed, on the first day of September, One thousand six hundred and sixty, within their respective Counties, Limits and Precincts, or any five or more of them, living or dwelling next to the Church or Living to which any such Person or Minister is to be restored, or from which any such Person or Minister is to be removed, and who are no waies Interested as patrons or parties in the patronage or Tithes of the said Church or Living, or any part thereof, shall be and are hereby constituted, appointed, and authorized

Justices of  
Peace Commissioners to  
execute this  
Act without  
further suit.



All former  
Suits made  
void.

rized to be Commissioners to execute all and singular the Powers and Authorities hereby granted within their respective Counties and Precincts; for and concerning the removing and restoring of such Persons and Ministers as aforesaid, and all other the premises. And finally to determine all differences touching the same until the Five and twentieth of December next. And that all Suits and Actions in Law or Equity, and all proceedings and verdicts thereupon had, or to be had, for, touching or concerning the premises or any of them, shall be, and are hereby stayed, barred, annulled, and voided.

Certain Leases  
made by Ministers  
confirmed.

Provided alwaies, and be it Enacted; That all Grants and Leases made for a valuable consideration paid or given of any Copy-hold or Free-hold Lands belonging to any Sequestred Living or Rectory (excepting the Glebe and Tithes) for three Lives or Twenty one years; according to former usage, wherein the ancient Rent is reserved, made by any Minister or Ecclesiastical person possessed of the said Rectory or Living, by any real or pretended Authority, before the Five and twentieth of December, One thousand six hundred fifty nine, shall continue as good and effectual in Law to all Intents against the Ejected and Sequestred Incumbent to be restored, and all others; as if they had been made by the proper Incumbent.

Ministers refused to be approved by the pretended Approvers settled in their Churches.

Provided alwaies, and be it further Enacted, That if any rightful patron hath heretofore presented his Clerk to any Benefice with Cure of Souls, being then void, unto those persons who were stiled Commissioners for approbation of publick preachers sitting at Whitehall, or the Committee for plundered Ministers, who late in the year One thousand six hundred fifty and nine; and the same Clerk so presented was refused to be admitted without any lawful cause, That then such Clerk shall be taken, and is hereby Enacted to be the perfect Incumbent of such Benefice, to all intents and purposes, Any thing in this Act to the contrary notwithstanding; Unless such Patron have since presented another Clerk to such Benefice who is now possessed thereof, or unless such Clerk so presented and refused as aforesaid, be since presented to and settled in some other Benefice.

None to be restored which  
deserted their  
Livings.

Provided that this Act nor any thing therein contained, shall not extend or be construed to confirm or continue any person in any Benefice or Ecclesiastical Living or Preferment, which hath, since the said Five and twentieth day of December last, voluntarily yielded up and left the possession of the said Benefice or Ecclesiastical Living or preferment, and is still out of possession thereof, or which by any writing executed under his Hand and Seal, hath agreed to yield up and leave the possession thereof.

Agreement made for  
Fifths confirmed.

Provided also, and it is hereby declared, That where there hath been any agreement between the persons concerned in this Act for the acquittal of the Minister, who ought to have paid Fifths of and from the same or any part thereof, That in such case no Fifths, or satisfaction for Fifths, shall be claimed or paid contrary to the said agreement.

Payments of  
Tithes, &c.  
to the present  
possessors, is a  
good discharge.

Provided alwaies, and be it Enacted, That all and every person and persons who have paid or satisfied by composition or otherwise, any Tithes, Pensions, Oblations, Obventions, Rents or other Ecclesiastical Duties belonging to any Rectory, Vicaridge or other Ecclesiastical Benefice or Promotion to any person or persons being in possession, or receiving the profits thereof by colour or pretence of any Authority, or to their Assigns, or any others claiming from, by, or under them, shall be, and are hereby discharged of, and from the same Tithes, Pensions, Oblations, Obventions, Rents and other Ecclesiastical Duties against all and every person and persons whatsoever.

These Restorations not within  
this Act  
Ewelme Rectory.

Provided alwaies, That neither this Act nor any thing herein contained, shall extend to confirm or establish the possession of the Rectory of Ewelme in the County of Oxon with Thomas Cole or any other person or persons, who have lately by vertue of any pretended Title entered into the same; But that the said Rectory be restored to Robert Saunderson Doctor in Divinity and Regius Professor

Professor in the University of Oxon, to be enjoyed by him and his Successors, according to a Grant made thereof by the late King James unto the Regius Professor of Divinity for the time being, and his Successors for ever.

Provided also, that nothing herein contained shall confirm or establish the possession of the Rectory of Somersham in the County of Huntington, with any person who hath by vertue of any pretended Title entred into the same; But that the said Rectory be restored to Doctor Anthony Tuckney the present Regius Professor of Divinity in the University of Cambridge, to be enjoyed by him and his Successors according to a former Grant thereof made unto the Regius Professor of Divinity for the time being, and his Successors for ever. Any thing herein contained to the contrary notwithstanding.

*Somersham Rectory.*

Provided also, that this Act or any thing therein contained, shall not extend to confirm or restore any Ecclesiastical Person or Minister in or to any Benefice, Living, or Ecclesiastical Promotion, that shall refuse to take the Oathes of Allegiance and Supremacie, being tendered unto such Ecclesiastical Person or Minister, by the said Commissioners or any three of them, which said Commissioners and every three of them are hereby enabled and enjoyned to Administer the said Oathes accordingly.

*Oaths to be taken by persons restored.*

Provided alwaies, and be it Enacted, that this Act or any thing herein contained, shall not prejudice the Title of any person or persons to any Ecclesiastical Living, Benefice or Promotion with cure of Souls in this Act mentioned, who have been and shall be presented to such Benefice or Promotion by his Majesty under the Great Seal of England, between the first day of May in the year of our Lord, One thousand six hundred and sixty, and the Ninth of September in the same year; But that such Presentees so presented by his Majesty as aforesaid, shall and may from and after the said Twenty ninth day of September enjoy the same Benefices and Promotions respectively as if this Act had not been made.

*Presentations under the Great Seal.*

Nevertheless it is Declared and Enacted, that such persons as upon the Twenty fifth day of December, One thousand six hundred fifty nine, were the possessors of such Benefices or Promotions, shall not be charged by such Presentees of his Majestie, with or for any profits by them or any of them received before the said twenty ninth day of September but shall hold and enjoy the profits of such Benefices and Promotions respectively, until the said twenty ninth day of September.

Provided also, that this Act or any thing herein contained shall not extend to confirm any person in the Vicaridge of Kidlington in the County of Oxford; But that the said Vicaridge shall remain as formerly annexed to the Rectory of Exceter Colledge in Oxford, Any thing in this Act to the contrary notwithstanding.

*Kidlington Vicaridge.*

Provided also, that this Act or any thing therein contained shall not extend to confirm any person in the Rectory of Garlington, in the County of Oxford, but that the said Rectory shall remain as formerly annexed to the Vicaridge of Trinity Colledge in Oxford, any thing in this Act to the contrary notwithstanding.

*Garlington Rectory.*

Provided also, that this Act, or any thing therein contained, shall not extend to confirm any person in the Rectory of Castor, in the County of Northampton, but that the said Rectory shall remain as formerly annexed to the Bishoprick of Peterborough, any thing in this Act to the contrary notwithstanding.

*Castor Rectory.*

Provided also, that this Act, or any thing therein contained, shall not extend to confirm any person in the Vicaridge of Cuddsen, in the County of Oxford, but that the said Vicaridge shall remain as formerly, annexed to the Bishoprick of Oxford, any thing in this Act to the contrary notwithstanding.

*Cuddsen Vicaridge.*

Provided alwaies, that this Act, nor any thing therein contained, shall extend



Persons  
preaching a-  
gainst the  
Kings right to  
the Crown  
not to be re-  
stored.

extend to the confirming or settling any person in a Living that hath maliciously printed any Treatise, or preached against his Majesty that now is, his Right or Succession to the Crowns of these Realms: so as the same to be proved by the Oaths of two credible Witnesses before the Commissioners appointed by this Act (who have hereby power to administer the same) and so adjudged by the said Commissioners, before the Five and twentieth day of December, One thousand six hundred and sixty.

Execution to  
restore the Par-  
son

Provided also, That if any Minister who shall by this Act be adjudged to be removed, shall not give up the possession according to the Order of the said Commissioners, then the said Commissioners or any five of them shall grant their Warrant to the Sheriff of the County to put such person adjudged to be restored into possession, according to the true intent and meaning of this Act; which said Sheriff shall execute the same accordingly; and in default of such Warrant, the Sheriff of the County for the time being, shall be, and is hereby enabled and required to give possession accordingly.

None to be re-  
stored who  
with Arms  
opposed a  
free Parlia-  
ment.

Provided, That this Act shall not extend to be construed to confirm any Ecclesiastical person that did appear in Arms, and march in a Troop, in opposition to the intended restoring of his Majesty and a free Parliament, since the First day of August, in the year of our Lord, One thousand six hundred fifty and nine, so as the same be proved by the Oaths of two credible Witnesses before the Commissioners appointed by this Act (who have hereby power to administer the same) and so adjudged by the said Commissioners before the Five and twentieth day of December, One thousand six hundred and sixty.

Acton Recto-  
ry.

Provided also, that this Act or any thing therein contained shall not extend to confirm any person in the Rectory of Acton in the County of Middlesex, which Rectory his Majesty before the Six and twentieth day of August, hath granted under his Sign Manual to one of his Chaplains.

Peers, Patrons  
Titles saved.

And lastly, it is Declared and Enacted by the Authority aforesaid, that all and every the Peers of this Realm, according to their several and respective Titles and Interests, may at any time or times within the space of six Kalender moneths, from the First day of September, in this present year One thousand six hundred and sixty, present and nominate their respective Clerk or Clerks unto any Ecclesiastical Benefices, Livings, or Promotions of their respective Patronages, or whereunto they had right or title to present or nominate at any time since the First of January, One thousand six hundred forty two. And that the said Presentees shall be thereupon admitted, instituted, and inducted, and after have and enjoy, and sue for, and recover the possession, and from thenceforth take the whole and entire profits of the said Benefices, Livings, and Promotions, and shall be accounted, and shall be full and perfect Incumbents of the same, to all intents and purposes, as fully and amply, as if they had been presented and placed therein within six moneths next after the first Avoidances, notwithstanding any Lapse or other Title, by reason of Lapse incurred or devolved to his late Majesty, or to the Kings Majesty that now is, or to any other person or persons, Bodies Politick or Corporate, any thing in this present Act, or otherwise, to the contrary hereof, in any wise notwithstanding.

Provided, that such Presentees as have been or shall be presented by his Majesty as aforesaid, before the said Ninth day of September, in this present year One thousand six hundred and sixty, by Title of Lapse, or otherwise, as aforesaid, shall or may enjoy the same Benefices and Promotions respectively, the last mentioned Clause or any other thing in this Act contained to the contrary notwithstanding.

Die Jovis, 13 Septembr. 1660.

**VV**Hereas there is an Act of Parliament past, Entituled, *An Act for Restoring and Confirming of Ministers*; which among other things, provideth for the settling the Rights and Possessions of several Ministers, as well those which have been Sequestred and Ejected, as others, and what profits shall respectively belong unto them.

It is thereupon Ordered by the Lords in Parliament assembled, That the Order of the 23 of June, 1660. concerning the Staying and Securing the Profits of the Livings and Benefices mentioned in the said Order, in the hands of the Church-wardens and Overseers of the Poor, be Repealed and Vacated; and that they and every of them, do account for what they have respectively received, according to the said Order, unto the persons to whom the same shall appertain, by vertue of the said Act.

JOHN BROWN,

Cleric. Parliamentorum.

Die Jovis, 13 Septembr. 1660.

**O**rdere**d** by the Lords in Parliament Assembled, That this Order be forthwith Printed and Published.

JOHN BROWN,

Cleric. Parliamentorum.

## C A P. XVIII.

An Act for the Encouraging and Encreasing of Shipping and Navigation.

**F**Or the increase of Shipping, and encouragement of the Navigation of this Nation, wherein, under the good providence and protection of God; the Wealth, Safety, and Strength of this Kingdom is so much concerned, Be it Enacted by the Kings most Excellent Majesty, and by the Lords and Commons in this present Parliament assembled, and the Authority thereof, That from and after the First day of December, One thousand six hundred and sixty, and from thenceforward, no Goods or Commodities whatsoever shall be Imported into, or Exported out of any Lands, Islands, Plantations, or Territories to his Majesty belonging, or in his possession, or which may hereafter belong unto, or be in the possession of his Majesty, his Heirs and Successors, in Asia, Africa, or America, in any other Ship or Ships, Vessel or Vessels whatsoever, but in such Ships or Vessels as do truly and without fraud belong only to the people of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or are of the built of, and belonging to any the said Lands, Islands, Plantations, or Territories, as the Proprietors and right Owners thereof, and whereof the Master and three fourths of the Mariners at least are English, under the penalty of the Forfeiture and Loss of all the Goods and Commodities which shall be Imported into, or Exported out of any the aforesaid places in any other Ship or Vessel, as also of the Ship or Vessel, with all its Guns, Furniture, Tackle, Ammunition and Apparell; one third part thereof to his Majesty, his Heirs and Successors; one third part to the Governour of such Land, Plantation, Island, or Territory, where such default shall be committed, in case the said Ship or Goods be there seized, or otherwise that third part also to his Majesty, his Heirs and Successors; and the other third part to him or them who shall Seize, Inform, or sue for the same in any

No goods shall be imported from Asia, Africa, or America, but in English ships.

Penalty.



Court of Record, by Bill, Information, Plaint, or other Action, wherein no Essoign, Protection, or Wager of Law shall be allowed; And all Admirals and other Commanders at Sea of any the Ships of War, or other Ship, having Commission from his Majesty, or from his Heirs or Successors, are hereby authorized and strictly required to Seize and bring in as prize all such Ships or Vessels as shall have offended contrary hereunto, and deliver them to the Court of Admiralty, there to be proceeded against; and in case of condemnation, one moiety of such Forfeitures shall be to the use of such Admirals or Commanders and their Companies, to be divided and proportioned amongst them according to the Rules and Orders of the Sea in case of Ships taken prize; and the other moiety to the use of his Majesty, his Heirs and Successors.

Aliens shall not exercise the occupation of Merchants or Factors.

And be it Enacted, that no Alien or person not born within the Allegiance of Our Sovereign Lord the King, his Heirs and Successors, or Naturalized, or made a free Denizen, shall from and after the first day of February, which shall be in the year of our Lord, One thousand six hundred sixty one, exercise the Trade or Occupation of a Merchant or Factor in any the said places, upon pain of the forfeiture and loss of all his Goods and Chattels, or which are in his possession, one third to his Majesty, his Heirs and Successors; one third to the Governor of the Plantation where such person shall so offend; and the other third to him or them that shall inform or sue for the same in any of his Majesties Courts in the Plantation where such offence shall be committed: And all Governors of the said Lands, Islands, Plantations or Territories, and every of them, are hereby strictly required and commanded, and all who hereafter shall be made Governors of any such Islands, plantations or Territories, by his Majesty, his Heirs or Successors, shall before their entrance into their Government take a Solemn Oath to do their utmost, that every the aforesaid mentioned clauses, and all the matters and things therein contained, shall be punctually and bona fide observed, according to the true intent and meaning thereof: And upon complaint and proof made before his Majesty, his Heirs and Successors, or such as shall be by him or them thereunto authorized and appointed, that any the said Governors have been willingly and wittingly negligent in doing their Duty accordingly, that the said Governor so offending shall be removed from his Government.

Governors, &c. of Plantations to take an Oath.

And it is further Enacted by the Authority aforesaid, that no Goods or Commodities whatsoever of the growth, production, or manufacture of Africa, Asia, or America, or of any part thereof, or which are described or laid down in the usual Maps or Cards of those places, be Imported into England, Ireland, or Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, in any other Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without fraud belong only to the people of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or of the Lands, Islands, Plantations or Territories in Asia, Africa or America, to his Majesty belonging, as the proprietors and right owners thereof, and whereof the Master and three fourths at least of the Mariners are English, under the penalty of the forfeiture of all such Goods and Commodities, and of the Ship or Vessel in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition, and Apparel; one moiety to his Majesty, his Heirs and Successors; and the other moiety to him or them who shall Seize, Inform, or Sue for the same in any Court of Record, by Bill, Information, Plaint, or other Action, wherein no Essoign, Protection, or Wager in Law shall be allowed.

No goods of foreign growth or manufacture shall be brought into England, &c. in English ships, but only from the places of their said growth, &c.

And be it further Enacted by the Authority aforesaid, that no Goods or Commodities that are of foreign growth, production or manufacture, and which are to be brought into England, Ireland, Wales, the Islands of Guernsey and Jersey, or Town of Berwick upon Tweed, in English-built shipping, or other shipping belonging to some of the aforesaid places, and Navigated by English Mariners as abovesaid, shall be shipped or brought from any other place

of Places, Country or Countries, but only from those of the said Growth, Production, or Manufacture, or from those Ports where the said Goods and Commodities can only, or are, or usually have been first shipped for transportation, and from none other Places or Countries, under the penalty of the forfeiture of all such of the foresaid Goods, as shall be Imported from any other place or Country, contrary to the true intent and meaning hereof, as also of the ship in which they were Imported, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, one Moiety to His Majesty, His Heirs and Successors; and the other Moiety to him or them that shall seize, inform, or sue for the same in any Court of Record, to be recovered as is before expressed.

And it is further Enacted by the Authority aforesaid, That any sort of Ling, Stockfish, Pilchard, or any other kind of dyed or salted fish, usually fished for and caught by the people of England, Ireland, Wales, Town of Berwick upon Tweed, or any sort of Codfish or Herring, or any Oyl or Blubber made, or that shall be made of any kind of Fish whatsoever, or any Whale-fins, or Whale-bones, which shall be imported into England, Ireland, Wales, or Town of Berwick upon Tweed, not having been caught in Vessels truly and properly belonging thereunto as Proprietors and right Owners thereof, and the said fish cured, saved, and dyed, and the Oyl and Blubber aforesaid (which shall be accounted and pay as oyl) not made by the people thereof, and shall be imported into England, Ireland, or Wales, or Town of Berwick upon Tweed, shall pay double Aliens custom.

All ling, stock-fish, &c. oyl, &c. Whale-fins, &c. imported, not caught in vessels of the proprietors themselves, &c. shall pay double customs.

And be it further Enacted by the Authority aforesaid, That from henceforth it shall not be lawful to any person or persons whatsoever, to Load or cause to be Loaden and carried in any Bottom or Bottoms, Ship or Ships, Vessel or Vessels whatsoever, whereof any Stranger or Strangers born (unless such as be Denizens or Naturalized) be Owners, part Owners, or Master, and whereof three fourths of the Mariners at least shall not be English, any Fish, Victual, Wares, Goods, Commodities, or things of what kind or Nature soever the same shall be, from one Port or Creek of England, Ireland, Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, to another Port or Creek of the same, or of any of them, under penalty for every one that shall offend contrary to the true meaning of this branch of this present Act, to forfeit all such goods as shall be loaden and carried in any such Ship or Vessel, together with the Ship or Vessel, and all her Guns, Ammunition, Tackle, Furniture, and Apparel, one moiety to His Majesty, His Heirs and Successors, and the other moiety to him or them that shall Inform, Seize, or Sue for the same in any Court of Record, to be recovered in manner aforesaid.

No goods to be carried from one part of England to another in the vessel of any Alien.

The penalty.

And it is further Enacted by the Authority aforesaid, That where any Ease, Abatement, or Privilege is given in the Book of Rates to goods or Commodities Imported or Exported in English built Shipping, that is to say, Shipping built in England, Ireland, Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, or in any the Lands, Islands, Dominions and Territories to His Majesty in Africa, Asia, or America, belonging, or in his possession, That it is alwaies to be understood, and Provided that the Master and three fourths of the Mariners of the said Ships, at least, be also English; And that where it is required that the Master and three fourths of the Mariners be English, that the true intent and meaning thereof is, that they should be such during the whole Voyage, unless in case of Sicknes, Death, or being taken Prisoners in the Voyage, to be proved by the Oath of the Master or other chief Officer of such Ships.

Eases and abatement in the book of rates to extend only where three parts of the Mariners be English.

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities of the Growth, Production, or Manufacture of Muscovy, or of any the Countries, Dominions, or Territories to the great Duke or Emperor of Muscovy or Russia, belonging, As also that no sorts of Halls, Timber or boards, no foreign Salt, Pitch, Tar, Rozin, Hemp or Flax, Raisins, Figs, Prunes, Olive Oyls, no sorts of Corn or Grain, Sugar, Pot-ashes, Wines, Vinegar,

Goods of the growth or manufacture of Muscovy or Russia.

or



Othoman or  
Turkish Em-  
perour.

of Spirits called Aquavite or Brandy Wine, shall from and after the First day of April, which shall be in the year of our Lord, One thousand six hundred sixty one, be imported into England, Ireland, Wales, or Town of Berwick upon Tweed, in any Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without fraud belong to the people thereof, or of some of them as the true Owners and proprietors thereof, and whereof the Master and Three Fourths of the Mariners at least are English, and that no Currants nor Commodities of the growth, production, or Manufacture of any the Countries, Islands, Dominions, or Territories to the Othoman or Turkish Empire belonging, shall from and after the first day of September, which shall be in the year of our Lord, One thousand six hundred sixty one, be imported into any the forementioned places in any Ship or Vessel, but which is of English built, and Navigated as aforesaid, and in no other; Except only such forrain ships and vessels as are of the built of that Country or place of which the said Goods are the growth, production or Manufacture respectively, or of such Port where the said Goods can only be, or most usually are first shipped for transportation, and whereof the Master and three Fourths of the Mariners at least are of the said Country or place, under the penalty and forfeiture of Ship and Goods to be disposed and recovered as in the foregoing Clause.

Frauds in con-  
cealing Aliens  
goods how to  
be prevented.

Provided alwayes, and be it hereby Enacted by the Authority aforesaid, That for the prevention of the great frauds daily used in colouring and concealing of Aliens Goods, all Wines of the growth of France or Germany, which from and after the twentieth day of October, One thousand six hundred sixty, shall be Imported into any the Ports or places aforesaid, in any other Ship or Vessel then which doth truly and without fraud belong to England, Ireland, Wales, or Town of Berwick upon Tweed, and Navigated with the Mariners thereof, as aforesaid, shall be deemed Aliens goods, and pay all Strangers Customs and duties to His Majesty, His Heirs and Successors, as also to the Town or Port into which they shall be Imported; And that all sorts of Hays, Timber or Boards, as also all forrain Salt, Pitch, Tar, Rosin, Hemp, Flax, Raisins, Figs, Prunes, Olive Oyls, all sorts of Corn or Grain, Sugar, Pot-ashes, Spirits commonly called Brandy Wine or Aquavita, Wines of the growth of Spain, the Islands of the Canaries or Portugal, Madera, or Western Islands, and all goods of the growth, Production, or Manufacture, of Muscovy or Russia, which from and after the first day of April, which shall be in the year of our Lord, One thousand six hundred sixty one, shall be imported into any of the aforesaid places in any other then such shipping, and so Navigated, and all Currants and Turkey Commodities which from and after the first day of September, One thousand six hundred sixty one, shall be Imported into any the places aforesaid, in any other then English built shipping, and Navigated as aforesaid, shall be deemed Aliens Goods, and pay accordingly to his Majesty, His Heirs and Successors, and to the Town or Port into which they shall be Imported.

How to pre-  
vent Frauds in  
colouring and  
buying For-  
rein ships.

And for prevention of all Frauds which may be used in colouring or buying of Forrein Ships, Be it Enacted by the Authority aforesaid, and it is hereby Enacted, That from and after the first day of April, which shall be in the year of our Lord, One thousand six hundred sixty one, no Forrein built ship or Vessel whatsoever shall be deemed or pass as a ship to England, Ireland, Wales, or Town of Berwick, or any of them belonging, or enjoy the benefit or privilege of such a Ship or Vessel, untill such time that he or they claiming the said Ship or Vessel to be theirs, shall make appear to the chief Officer or Officers of the Customs in the Port next to the place of his or their abode, that he or they are not Aliens, and shall have taken an Oath before such chief Officer or Officers, who are hereby Authorized to administer the same, That such Ship or Vessel was bona fide and without fraud by him or them bought for a valuable consideration, expressing the sum, as also the time, place, and persons from whom it was bought, and who are his part-Owners (if he have any) all which part-Owners

Owners shall be liable to take the said Oath before the chief Officer or Officers of the Custom-house of the Port next to the place of their abode, and that no Forreigner directly or indirectly hath any part, interest, or share therein, and that upon such Oath he or they shall receive a Certificate under the Hand and Seal of the said chief Officer or Officers of the Port where such Person or Persons so making Oath do reside, whereby such Ship or Vessel may for the future pass and be deemed as a Ship belonging to the said Port, and enjoy the privilege of such a Ship or Vessel; And the said Officer or Officers shall keep a Register of all such Certificates as he or they shall so give, and return a Duplicate thereof to the chief Officers of the Customs at London for such as shall be granted in England, Wales, and Berwick, and to the chief Officers of the Customs at Dublin for such as shall be given in Ireland, together with the Names of the person or persons from whom such Ship was bought, and the sum of money which was paid for her, as also the Names of all such persons who are part-owners of her, if any such be.

And be it further Enacted by the Authority aforesaid, That if any Officer of the Customs shall from & after the said first day of April, allow the privilege of bringing a Ship or Vessel to England, Ireland, Wales, or the Town of Berwick, or any of them belonging to any Forreign built Ship or Vessel, untill such Certificate be before them produced, or such Proof and Oath taken before them; or if any Officer of the Customs shall allow the privilege of an English built ship, or other Ship to any the aforesaid places belonging, to any English or Forreign built Ship coming into any Port, and making Entry of any Goods, untill Examination whether the Master and three fourths of the Mariners be English, or shall allow to any Forreign built Ship, bringing in the Commodities of the Growth of the Country where it was built, the privilege by this Act to such Ship given, untill Examination and Proof whether it be a ship of the built of that Country, and that the Master and three fourths of the Mariners are of that Country, or if any Person who is or shall be made Governour of any Lands, Islands, Plantations, or Territories in Africa, Asia, or America, by his Majesty, his Heirs or Successors, shall suffer any Forreign built Ship or Vessel to load or unload any Goods or Commodities within the Precincts of their Governments, untill such Certificate be produced before them, or such as shall be by them appointed to view the same, and Examination whether the Master and three fourths of the Mariners at least be English, that for the first offence such Officer of the Customs, and Governours, shall be put out of their places, Offices, or Governments.

Provided alwaies, That this Act, or any thing therein contained, extend not, or be meant to restrain and prohibite the Importation of any the Commodities of the Streights, or Levant Seas, loaden in English built shipping, and whereof the Master and three fourths of the Mariners at least are English, from the usual Ports or places for lading of them heretofore within the said Streights or Levant Seas, though the said Commodities be not of the very growth of the said places.

Provided also, That this Act, or any thing therein contained, extend not, or be meant to restrain the Importing of any East India Commodities, loaden in English built shipping, and whereof the Master and three fourths of the Mariners at least are English, from the usual place or places for lading of them in any part of those Seas, to the South-Ward and Eastward of Cabo bona speranza, although the Ports be not the very places of their growth.

Provided also, That it shall and may be lawful to and for any of the people of England, Ireland, Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, in Vessels or Ships to them belonging, and whereof the Master and three fourths of the Mariners at least are English, to load and bring in from any of the Ports of Spain or Portugal, or Western Islands, commonly called Azores, or Madera, or Canary Islands, all sorts of Goods or Commodities

Officers of the custom not to allow any privilege to any forreign built ship untill certificate or proof, &c.

Proviso for goods of the Streights or Levant.

East India Commodities.

Proviso for goods imported from Spain, Portugal, Azores, Madera, or Canary Islands.



Commodities of the Growth, Production, or Manufacture of the Plantations or Dominions of either of them respectively.

Proviso for Bullion, and goods taken by way of Reprisal.

Provided, That this Act, or any thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that shall be bona fide taken by way of Reprisal by any Ship or Ships belonging to England, Ireland, or Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, and whereof the Master and three fourths of the Mariners at least are English, having Commission from His Majesty, his Heirs or Successors.

Proviso concerning goods of Scotland.

Provided alwaies, That this Act, or any thing therein contained, shall not extend, or be construed to extend to lay Aliens duties upon any Corn of the growth of Scotland, or to any Salt made in Scotland, nor to any Fish caught, laded, and cured by the People of Scotland, and Imported directly from Scotland in Scotch built Ships, and whereof the Master and three fourths of the Mariners are of His Majesties Subjects, nor to any Seal Oyl of Russia, Imported from thence into England, Ireland, Wales, or Town of Berwick upon Tweed, in Shipping bona fide to some of the said places belonging, and whereof the Master and three fourths of the Mariners at least are English.

Goods of Russia.

The duty payable upon goods in French Ships.

Provided also, and it is hereby Enacted, That every Ship or Vessel belonging to any the Subjects of the French King, which from and after the twentieth day of October, in the year of our Lord, One thousand six hundred and sixty, shall come into any Port, Creek, Harbor or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and shall there lade or unlade any goods or Commodities, or take in or set on shore any Passengers, shall pay to the Collector of His Majesties Customs in such Port, Creek, Harbor, or Road, for every Tun of which the said Ship or Vessel is of burthen, to be computed by such Officer of the Customs as shall be thereunto appointed, the sum of five shillings currant money of England: And that no such Ship or Vessel be suffered to depart out of such Port, Creek, Harbor, or Road, untill the said Duty be fully paid; And that this Duty shall continue to be Collected, Levied, and paid, for such time, as a certain Duty of fifty Solls per Tun lately imposed by the French King, or any part thereof, shall continue to be Collected upon the Shipping of England lading in France, and three moneths after, and no longer.

How long to continue.

Sugars, Tobacco, &c. of the growth of America, Asia, or Africa.

And it is further Enacted by the Authority aforesaid, That from and after the first day of April, which shall be in the year of our Lord, One thousand six hundred sixty one, no Sugars, Tobacco, Cotton-wooll, Indicoes, Ginger, Fustick, or other dying wood, of the Growth, Production, or Manufacture of any English Plantations in America, Asia, or Africa, shall be shipped, carried, conveyed or transported from any of the said English Plantations to any Land, Island, Territory, Dominion, Port, or place whatsoever, other than to such other English Plantations as do belong to His Majesty, his Heirs and Successors, or to the Kingdom of England, or Ireland, or Principality of Wales, or Town of Berwick upon Tweed, there to be laid on shore, under the penalty of the Forfeiture of the said Goods, or the full value thereof, as also of the Ship, with all her Guns, Tackle, Apparel, Ammunition, and Furniture, the one moiety to the Kings Majesty, his Heirs and Successors, and the other moiety to him or them that shall seize, inform, or sue for the same in any Court of Record, by Bill, Plaint or Information, wherein no Essoign, Protection, or Wager of Law shall be allowed.

Ships of England, Ireland, or Wales, sailing to any English Plantation in America, Asia, or Africa, shall be bound with sureties, to bring goods there loaded into England, &c.

And be it further Enacted by the Authority aforesaid, That for every Ship or Vessel, which from and after the five and twentieth day of December, in the year of our Lord, One thousand six hundred and sixty, shall set sail out of or from England, Ireland, Wales, or Town of Berwick upon Tweed, for any English Plantation in America, Asia, or Africa, sufficient bond shall be given with one surety to the chief Officers of the Custom-house of such Port or place from whence the said Ship shall set sail, to the value of one thousand pounds, if the ship be of less burthen than one hundred Tuns; and of the sum of two thousand pounds,

pounds, if the Ship shall be of greater burthen, That in case the said Ship or Vessel shall load any of the said Commodities at any of the said English Plantations, that the same Commodities shall be by the said ship brought to some Port of England, Ireland, Wales, or to the Port or Town of Berwick upon Tweed, and shall there unload and put on shore the same, the danger of the Seas only excepted: And for all ships coming from any other Port or Place to any of the aforesaid plantations, who by this Act are permitted to trade there, that the Governour of such English plantations shall before the said Ship or Vessel be permitted to load on board any of the said Commodities, take Bond in manner and to the value aforesaid for each respective Ship or Vessel, that such Ship or Vessel shall carry all the aforesaid Goods that be laden on board in the said ship to some other of His Majesties English Plantations, or to England, Ireland, Wales, or Town of Berwick upon Tweed: And that every ship or vessel, which shall load or take on board any of the aforesaid Goods, until such Bond given to the said Governour, or Certificate produced from the Officers of any Custom-house of England, Ireland, Wales, or of the Town of Berwick, that such bond have been there duly given, shall be forfeited with all her Guns, Tackle, Apparel, and Furniture, to be employed and recovered in manner as aforesaid. And the said Governours and every of them shall twice in every year after the first day of January, One thousand six hundred and sixty, return true Copies of all such Bonds by him so taken, to the chief Officers of the Custom in London.

St. 13. Car. 2. cap. 14.

*Ships coming from other places to any of those plantations.*

*The respective Governours to return the bonds taken twice yearly to the chief officers of the Custom in London.*

#### C A P. XIX.

An Act to prevent Frauds and Concealments of His Majesties Customs and Subsidies.

**B**E it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That if any person or persons at any time after the first day of September, One thousand six hundred and sixty, shall cause any Goods for which Customs, Subsidy, or other duties are due, or payable by vertue of the Act passed this Parliament, (Entituled, A Subsidy granted to the King of Tonnage and Poundage, and other Sums of money, payable upon Merchandize Exported and Imported) to be landed or conveyed away without due entry thereof first made, and the Customer or Collector, or his Deputy agreed with, That then and in such case upon Oath thereof made before the Lord Treasurer, or any of the Barons of the Exchequer, or chief Magistrate of the Port or Place where the offence shall be committed, or the place next adjoining thereunto, it shall be lawful to and for the Lord Treasurer, or any of the Barons aforesaid, or chief Magistrate of the Port or Place where the offence shall be committed, or the Place next adjoining thereunto, to issue out a Warrant to any person or persons, thereby enabling him or them, with the assistance of a Sheriff, Justice of Peace, or Constable to enter into any House in the day time where such Goods are suspected to be concealed; and in case of resistance to break open such Houses, and to seize and secure the same goods so concealed: And all Officers and Ministers of Justice are hereby required to be aiding and assisting thereunto.

*Persons which shall convey away any goods without entry and agreement for the custom.*

*The penalty.*

Provided alwaies, That no House shall be entred by vertue of this Act, unless it be within the space of one moneth after the offence supposed to be committed.

Provided also, That this Act shall continue in Force unto the end of the first Session of the next Parliament, and no longer.

Provided also, That if the Information whereupon any House shall come to be searched, shall prove to be false, that then and in such case the party injured shall recover his full damages and costs against the Informer, by Action of Treasons to be therefore brought against such Informer. St. 13. Car. 2. cap. 6.

*No proceeding against any upon this Act unless within one moneth after the offence committed.*

*The continuance of this Act. Damages and costs against false informers.*

L

C A P.



## CAP. XX.

An Act for raising sevenscore thousand pounds, for the compleat Disbanding of the whole Army, and paying off some part of the Navy, by a two moneths Assessement of 7000 l. *per mensem*, beginning from the first of November, 1660. EXP. St. 13. Car. 2. cap. 6.

## CAP. XXI.

An Act for the speedy raising of seventy thousand pounds for the present supply of His Majesty. EXP. St. 13. Car. 2. cap. 6. & cap. 10.

## CAP. XXII.

An Act for the Regulating of the Trade of Bay-making in the Dutch Bay-Hall in Colchester.

Preamble.

**W**hereas by the special Favor of Queen Elizabeth, there was a Congregation of Dutch people tolerated to practice the Art and Trade of Bay and Say-making in the Town of Colchester in the County of Essex, and for the upholding the Credit of the said Trade, and for the avoiding and punishing all Unjust and Fraudulent dealings therein, there have been divers Good and Laudable Orders and Constitutions made, which were confirmed by Letters Patents under the Great Seal of England, in the tenth year of King James, and by several Orders made by the late Kings Privy Council; the Strict and Exact Execution of which said Orders and Constitutions by the Governours of the Dutch Bay-Hall there, hath brought that kind of Drapery into high Credit, not only at home, but also in Foreign parts; and that by reason of the said Trade, many thousands of poor people, both within the said Town of Colchester, and places thereabout, are daily Employed and Set to Work; Notwithstanding which said Orders, and the care of the Governours of the said Dutch Bay-Hall, many fraudulent and deceitful Commodities, and slight and naughty Bays have been, and daily are by the secret and crafty practices of some men made in the said Town, and are weekly brought and conveyed to London by certain persons using the Trade of buying and selling of Colchester Bays, before such time as the said Bays have been viewed, searched, measured, and sealed by the sworn Officers of the said Dutch Bay Hall, which said Bays so deceitfully and fraudulently made, are transported beyond the Seas, under the name, and oftentimes with the Seal of Colchester Bays, whereby the Bays there made are not of that Credit and Esteem as formerly: For the preventing which said practices and deceits, Be it Enacted by the Kings most Excellent Majesty, with the assent of the Lords and Commons in this present Parliament assembled, and by Authority of the same, That the Governours of the said Dutch Bay-Hall in Colchester, and the Dutch people there living, shall, and may from henceforth peaceably and quietly use and exercise the free Trade of making Bays, Says, and other foreign Draperies within the said Town of Colchester, and be permitted to govern the said Trade in their Assemblies and Congregations, with all such liberties, privileges, immunities, and in as full and ample manner as they have at any time heretofore enjoyed the same by virtue of any Order, Grant, or Toleration to them made by Queen Elizabeth, King James, or the late King Charles of blessed memory, or any of them.

Grievance.

Confirmation of the Privileges of the Dutch Bay-Hall.

All Bays made at Colchester must be carried to the Bays Hall and searched,

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever, from and after the twentieth day of September, in the year of our Lord, One thousand six hundred and sixty, shall weave or cause to be woven within the said Town of Colchester, or the Liberties thereof, any Bay known by the name of Four and fifties, Sixties, Sixty eights, Eighties, and hundred Bays, and shall not within two daies after such weaving, carry, or cause such Bay to be carried to the Dutch Bay-Hall called the Raw Hall, there to be viewed and searched,

ched, to the intent it may appear whether the same Bay be well and substantially wrought before, as the said Bay shall be carried to be scoured and thicked; or if any Fuller, or Thicker, or other person, using the Art or Trade of Fulling or Thicking of Bays, shall receive any such Bay to be Fullled and Thicked before such time as the said Bay hath been carried to the said Raw-Hall, and there stamped and marked, as by the Orders of the said Hall it ought to be, That every such Weaver that shall so convey the said Bay, and every such Fuller and Thicker that shall receive such Bay before the same be stamped and marked as aforesaid, shall forfeit for the first offence the sum of Forty shillings, to be levied by distress and sale of the Offenders goods, returning the overplus, the necessary charges of distraining being first deducted, and such forfeitures, in case such Bay be made by an English Master-maker, then the same to be accounted for to the Mayor and Commonalty of the said Town for the benefit of the poor of the said Town; and in case such Bay be the Bay of a Dutch Master-maker, then the same to be disposed by the Governors of the said Dutch Bay-Hall for the use and benefit of the poor of the said Dutch Congregation, and for the second offence shall forfeit the sum of five pounds, to be levied and disposed in manner abovesaid, and for the third offence not to be permitted to work any more within the Town of Colchester, or Liberties thereof.

No Fuller shall work any Bays not searched and allowed.

Penalty of Weavers and Fullers offending.

Third offence.

And be it further Enacted by the Authority aforesaid, That if any person or persons shall buy any of the aforesaid Bays, or convey or carry, or cause such Bay to be conveyed or carried out of the said Town of Colchester, before such time as the said Bay hath been viewed, searched, stamped, sealed, and measured as aforesaid, by the sworn Officers of the said Dutch Bay-Hall thereunto appointed, that in such case the said Bay so bought or carried, or offered to be carried or conveyed away as aforesaid, shall be confiscated, the one moiety to him or them that shall seize the same, and the other moiety to the poor of the Parish where the said Bay shall be taken and seized.

No Bays to be carried out of the Town until searched and allowed.

Penalty.

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever shall from and after the said twentieth day of September, counterfeit, or cause to be counterfeited any of the seals used by the Corporation or Congregation of the Dutch Bay Hall in Colchester, or shall, not being the Officer thereunto by the said Corporation appointed, and in the place by them thereunto appointed, affix any such seal or seals to any Colchester Bays, whether counterfeited or not counterfeited, that every person so offending, being thereof lawfully convicted, shall for his first offence forfeit and pay to the use of the said Governors of the said Dutch Bay-Hall the sum of twenty pounds, to be recovered in any of His Majesties Courts of Record, or in the Town Court of Colchester, by any Action of debt, bill, plaint, information, or otherwise, wherein no escoign, protection, or wager of the Law shall be allowed: and for the second offence being convicted as aforesaid, shall stand in the Pillory in the Market or most publick place where such offence shall be committed, for the space of one hour, and for the third offence, being as aforesaid convicted, shall suffer as a Felon; and if any Bays shall be taken carrying or carried out of Colchester without the mark of the maker, that all such Bays shall be forfeit.

Penalty for counterfeiting the Corporation Seal.

Third offence.

And for the better discovering, finding out, and punishing of the frauds and deceits aforesaid, be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the Governors of the said Dutch Bay-Hall, or their Officers, or any of them from time to time in the day time, to search any Cart, Wagon, or Pack wherein they shall have notice, or suspect any such deceitful Bays to be; and also from time to time with a Constable, who are hereby required to be aiding and assisting to them, to make search in any house, shop, or ware-house, where they are informed any such deceitful Bays to be, and to secure and seize the same, and carry the same to the said Dutch Bay Hall, and that such Bay so seized and carried to the said Hall, shall be confiscate and forfeit to be disposed in such manner as the forfeitures herein before mentioned to be paid by the Weavers and Fullers are herein before limited and appointed.

Power to search Carts and Packs.

To search houses with a Constable.

Forfeiture of deceitful Bays.



Power to  
make by-laws.

And be it further Enacted by the Authority aforesaid, That for the better managing and regulating of the said Art or Trade of making the Bays aforesaid, That it shall and may be lawful to, and for the Governours of the said Dutch Bay-Hall, from time to time, to make, constitute and appoint such Orders, By-laws, and Constitutions, as to them shall seem meet and reasonable.

Who shall approve of them.

Provided, That no such Order, by-Law, or Constitution to be made, either in diminution of the Kings Privilege, or the Laws of this Kingdom, be used or executed, untill the same Orders, by-Laws and Constitutions have been examined and approved by the Lord Chancellor, Lord Treasurer of England, or Chief Justice of either Bench, or any three of them, or before both the Justices of Assize in their Circuit or Progress in the said County of Essex, upon pain of forfeiture of twenty pounds for every time they shall do the contrary; this Act to begin and take effect from the twentieth day of September, One thousand six hundred and sixty.

## CAP. XXIII.

A Grant of certain Impositions upon Beer, Ale, and other Liquors, for the encrease of His Majesties Revenue during His Life.

The rates given to his Majesty for life.

The Commons assembled in Parliament, in gratitude, for an humble acknowledgment of your Majesties great Grace and Favour to us Your Commons, beyond Example of any Your Royal Progenitors, expressed in many publick Acts and Declarations, to the great rejoicing and general satisfaction of all Your people, which they desire to answer with returns suitable and exceeding the Examples of any of their Ancestors, for the encreasing of Your Majesties Revenue during Your Majesties Reign, (which God long continue) Do therefore give and grant unto Your most Excellent Majesty the rates and duties, Impositions, Charges and sums of money herein after following: And do beseech your Majesty that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of the Lords and Commons in parliament assembled, that from and after the twenty fifth day of December, One thousand six hundred and sixty, there shall be throughout your Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raised, levied, collected, and paid unto your Majesty during Your Life, for Beer, Ale, Syder, and other Liquors herein after mentioned, the several Rates, Impositions, Duties, and Charges herein after expressed, and in manner and form following. That is to say,

Beer or Ale above six s. the barrel.

For every Barrel of Beer or Ale above six shillings the Barrel, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publickly or privately, to be paid by the Common Brewer, or by such other Person or Persons respectively, and so proportionably for a greater or lesser quantity, One shilling three pence. xv d.

Beer or Ale of 6 s. the barrel.

For every Barrel of Six shillings Beer or Ale, or under, brewed by the Common Brewer, or any other Person or Persons, who doth or shall sell or tap out such Beer or Ale publickly or privately, to be paid by the said Common Brewer, or by such Person or Persons respectively, as aforesaid, and so proportionably for a greater or lesser quantity, three pence. iii d.

Syder, Perry.

For all Syder and Perry made and sold by retail, upon every Hoghead to be paid by the Retayler thereof, and so proportionably for a greater or lesser measure, One shilling three pence. xv d.

For

For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the maker thereof upon every Gallon, One half penny.----	Ob.	Metheglin Mead.
For every barrel of Beer, commonly called Vinegar-beer, brewed by any common Brewer in any common Brew-house, six pence.-----	vi d.	Vinegar-beer.
For every Gallon of Strong-water or Aquavitæ, made and sold, to be paid by the maker thereof, One penny.-----	i d.	Strong-water.
For every Barrel of Beer or Ale Imported from beyond the Seas, Three shillings.-----	iii s.	Beer and Ale imported.
For every Tun of Syder or Perry Imported from beyond the Seas, and so proportionably for a greater or lesser quantity, Five shillings.-----	v s.	Syder and Perry imported.
For every Gallon of Spirits made of any kind of Wine or Syder Imported, Two pence.-----	ii d.	Spirits imported.
For every Gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence.-----	iiii d.	Strong-water imported.
For every Gallon of Coffee made and sold, to be paid by the maker, Four pence.-----	iiii d.	Coffee.
For every Gallon of Chocolate, Sherbet and Tea, made and Sold, to be paid by the maker thereof, Eight pence.-----	viii d.	Chocolate.

And be it further Enacted and Ordained by the Authority aforesaid, that the several Rates, Duties and Charges of Excise, or new Impost above mentioned, hereby set or imposed upon all and every the said Forreign Liquors which shall be Imported or brought into all or any the Ports of this Kingdom and Dominions thereof, aforesaid, from and after the five and twentieth of December next, shall be from time to time satisfied and paid by the Merchant or Merchants, Importer or Importers of the same, in ready money, upon his or their entry or entries made, and before the landing thereof.

The excise upon forreign Liquors imported to be paid by the importers in money upon entries made before landing.

And be it further Enacted by the Authority aforesaid, that all common Brewers of Beer and Ale, shall once in every week, and all Inkeepers, Ale-house-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, Strong-water, Brewing, making or retailing the same, shall once in every moneth make true and particular entries at the Office of Excise, within the limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforesaid, which they or any of them shall brew, make or retail, in that week and moneth respectively, as aforesaid.

Common Brewers to account weekly, and other Retailers of Beer, Ale, &c. monthly.

And be it further Enacted by the Authority aforesaid, that all such common Brewers, who do not once a week make due and particular Entries, shall forfeit five pounds: And that every such Inn-keeper, who doth not make true and particular Entries once a moneth, shall forfeit five pounds. And that every Ale-house-keeper, Victualler, or other retailer, who doth not once a moneth make due and particular Entries, shall forfeit twenty shillings.

The Penalty for not accounting as aforesaid.

And be it further Enacted by the Authority aforesaid, that every common Brewer, who shall not pay and cleer off within a week after he made his entry, or ought to have made his entry, as aforesaid, shall pay double the value of the duty: And that every Inn-keeper, Ale-house-keeper, Victualler, or other Retailer, who shall not pay and cleer off within a moneth after he made

made



made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the duty: the said respective forfeitures to be levied upon their Goods and Chattels, in such manner and form, as hereafter in this Act is ordained and directed.

No person to be compelled to go further to make their Entries then the next market Town, vid. Stat. 15. Car. 2. cap. 11. The Commissioners for execution of this Act impowred to appoint Gagers. The power of the Gagers.

Provided that no such person, as aforesaid, shall be compelled by the Commissioners, or Sub-Commissioners of Excise, to travel for the making of the said Entries or payment of the said Duties, or other cause whatsoever, touching or concerning the same, if he live in a market Town, out of the said Town; if he live out of a market Town, then to no other place, then to the next market Town to his habitation in the same County, on the market day.

And be it further Enacted and Ordained by the Authority aforesaid, That the Commissioners who shall be appointed by his Majesty for putting this Act in execution, and their Sub-Commissioners in their respective Circuits and Divisions, shall hereby have power to constitute under their Hands and Seals, such and so many Gagers as they shall find needfull: which Gagers, and every of them, shall at all times, as well by night as by day; And if by night, then in the presence of a Constable or other lawful Officer, be permitted upon their request to enter the House, Brew-house, Distilling-house, and all other houses and places whatsoever, belonging to, or used by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the same as aforesaid, or by any Distiller of Strong-waters, or Retailer of other the Liquors aforesaid, and to gage all Coppers, Fats and Vessels in the same, and to take an account of Beer, Ale, Worts, perry, Syder, Strong-waters, Aquavite, Metheglin, or other the Liquors aforesaid, in the said houses, places, and vessels, from time to time, brewed, or made, and distilled; and thereof to make return or report in writing to the said Commissioners, or Sub-Commissioners of Excise, under whole Office and Limits such Brewer, Retailer, Distiller, or maker of the Liquors aforesaid, doth dwell and inhabit, leaving a true Copy of such Return in writing under his Hand with such Brewer, Retailer, Distiller, or makers of the Liquors aforesaid; And such Reports or Returns of the said Gagers shall be a charge upon the said Brewers, makers and Retailers respectively; And if any such common Brewer or Retailer shall refuse to permit any such Gager or Gagers to enter his Brew-house, or any other place aforesaid, or to gage or take account of his brewing vessels, or of any such Beer, Ale, Worts, Perry, Syder, Strong-water, Aquavite, Metheglin, or other the Liquors aforesaid, such Brewer, Retailer, or Distiller shall be forthwith forbidden by the said Gager or Gagers to sell, carry out, or deliver to any of his Customers, any Beer, Ale, Strong-water, Aquavite, or other the Liquors aforesaid; And if any such Brewer, Retailer, or Distiller of any the Liquors aforesaid, after such warning given, shall sell, carry or deliver out the same, or any part thereof, not having paid and cleared the duty of Excise, such person and persons shall besides the forfeiture of double the value, forfeit and lose the sum of five pounds, as aforesaid, for every offence, to be levied and recovered upon his or their Goods and Chattels in manner and form as hereafter in this Act is provided.

What shall be reckoned a barrel of Beer.

The barrel of Ale.

And for the avoiding of all incertainty, and dispute, touching the returns made or to be made by the Gagers of any Beer or Ale so brewed as aforesaid; Be it Enacted and Declared by the Authority aforesaid, That every six and thirty Gallons of Beer taken by the Gager according to the Standard of the Ale-quart, four whereof shall make the Gallon, remaining in the custody of the Chamberlains of his Majesties Exchequer, shall be reckoned, accounted, and returned by the Gager for a barrel of Beer; And every two and thirty Gallons of Ale, taken by the Gager according to the same Standard, shall be in like manner reckoned, accounted and returned for a barrel of Ale; and all other the Liquors aforesaid according to the Wine-gallon.

Provided alwaies, and be it Enacted and Ordained by the Authority aforesaid, That no Brewers or Retailers of Beer and Ale shall take any more in the price

price thereof, upon sale of the same, then according to the usual rates and prizes, saving that every common Brewer shall and may take and receive of all and every person and persons to whom he shall sell and deliver any Ale or Beer, the Excise thereupon due, as aforesaid, over and above the usual rates and prizes.

And be it Enacted by the Authority aforesaid, That for the better encouragement of all common brewers and makers of Beer or Ale, to make due entry and payment thereof, according as by this Act is appointed, the said common brewer not selling the same by Retail, for and in consideration of waste by fillings and leakage of their Beer and Ale, shall have and be allowed out of the said returns made by the Takers, the several allowances and abatements hereafter mentioned, (that is to say) upon every three and twenty barrels of Beer, whether strong or small, returned by the said Takers, three barrels; and upon every two and twenty barrels of Ale, whether strong or small, returned by the Takers, two barrels; which said allowances and abatements the said Commissioners to be appointed as aforesaid, and their Sub-Commissioners, are hereby authorized to allow and make accordingly.

Abatements and allowance to be made for waste and leakage.

Provided also, that where any common Brewer shall wittingly or wilfully make a false Entry, and be convicted for the same before the Commissioners to be appointed as aforesaid, or any two of them, or before such other person or persons as are hereafter by this Act appointed, in that case such Brewer or Brewers shall forfeit and lose, over and besides the penalties before mentioned, the said allowance so to be made for six moneths then next ensuing.

Forfeiture for false Entries,

And be it Enacted and Ordained by the Authority aforesaid, That no Beer or Ale shall be delivered in by such brewer or maker thereof to any Victualler or other Retailer thereof, until the rate which by such Victualler or Retailer is to be payed over and above the price of the said Beer or Ale, for or in respect of this duty, be first payed and satisfied by the said Victualler or Retailer to the brewer or maker thereof. Provided also, That if any person or persons shall brew and sell by retail any small quantities of Beer or Ale in any Fair within this Realm, or Dominions aforesaid, who is not otherwise any common or usual Brewer, or Retailer thereof, and shall before any such selling and retailing thereof, well and truly pay and satisfy the duty due for the same to the Commissioners or Sub-Commissioners within whose limits or division the said Fair shall be held, or to their Officers thereunto appointed; then such person or persons so brewing or retailing the same, and for so much, and no more, nor otherwise, shall be freed and discharged from all penalties and forfeitures in and by this Act before mentioned and imposed; any thing therein contained to the contrary notwithstanding.

No Ale or Beer to be delivered to the Retailer before the rate be paid.

Beer and Ale sold in Fairs.

Provided nevertheless, That it shall and may be lawful to and for the said Commissioners, and Sub-Commissioners respectively, to compound for this Duty with any Inn-keeper, Victualler, Alehouse-keeper, or Retailer of Beer, Ale, and other the Liquors aforesaid, within their respective divisions, from time to time, in such manner and form as may be most for the advantage and improvement of the receipts thereof: Any thing in this Act before contained to the contrary notwithstanding.

The Commissioners may compound with any Inn-keeper, Retailer or Victualler.

And it is further Ordained and Enacted by the Authority aforesaid, That the Lord Treasurer or Commissioners of the Treasury for the time being, or such other person or persons as his Majesty shall appoint, shall have power, and are hereby authorized and impowered from time to time to treat, contract, conclude, and agree with any person or persons for or concerning the farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Beer, Ale, Perry, Syder, or other the Liquors aforesaid, in any the respective Counties, Cities or Places of this Realm or Dominions thereof, as may be for the greatest benefit and advantage of the said receipt, so as the same exceed not the term of three years; And be it further Enacted, that every such contract,

Any the rates in this Act may be farmed for three years.

bargain



bargain and agreement of the Lord Treasurer, or Commissioners of the Treasury, or other persons aforesaid on behalf of his Majesty on the one part: And the person or persons farming on the other part; shall be good and effectual in Law to all intents and purposes.

Persons contracting that be nominated by the Justice of the Peace in every County shall have the refusal of any Farm.

Provided alwaies, to the end the aforesaid duty may be payed with most ease to the people, It is hereby further Enacted, That the Lord Treasurer, Commissioners of the Treasury, or other persons aforesaid, shall not within six moneths after the Commencement of this Act, treat, conclude, or agree with any person or persons, touching the Farming of this Duty upon Beer and Ale in any the respective Counties or Places of this Realm or Dominions thereof, other then with such person or persons as by the Justices of Peace of the said Counties or Places, or the major part of them, at their publick Quarter Sessions shall be nominated and appointed in that behalf; which person or persons is to have the first refusal of any such Farm respectively, and may take the same, Any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided that the said Duty shall not be let to any other person or persons, then to the person or persons recommended by the Justices, under the rate that it shall be tendered to, and refused by such person or persons so recommended.

Forfeitures and offences within this Act where determined.

And be it further Enacted and Ordained by the Authority aforesaid, that all forfeitures and offences made and committed against this Act, or any Clause or Article therein contained, shall be heard, adjudged and determined by such person and persons, and in such manner and form as hereafter in and by this Act is directed and appointed; that is to say, all such forfeitures and offences made and committed within the immediate limits of the chief Office in London, shall be heard, adjudged and determined, by the said chief Commissioners and Governors of Excise, (appointed by his Majesty) or the major part of them, or by the Commissioners for appeals, and regulating of this Duty, or the major part of them in case of appeal, and not otherwise. And all such forfeitures and offences made and committed within all, or any other the Counties, Cities, Town or place within this Kingdom, or Dominions thereof, shall be heard and determined by any two or more of the Justices of the Peace residing near to the place where such forfeitures shall be made or offence committed: And in case of neglect or refusal of such Justices of the peace, by the space of fourteen dayes next after complaint made, and notice thereof given to the offender, then the Sub-Commissioners, or the major part of them appointed for any such City, County, Town or Place, shall and are hereby impowered to hear and determine the same; And if the party find himself aggrieved by the Judgment given by the said Sub-Commissioners, he shall and may appeal to the Justices of the peace at the next Quarter Sessions, who are hereby impowered and authorized to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for appeals and regulating of this Duty, and the chief Commissioners for Excise, and all Justices of Peace, and Sub-Commissioners aforesaid respectively, are hereby authorized, and strictly enjoined and required upon any complaint or information exhibited and brought of any such forfeiture made, or offence committed contrary to this Act, to summon the party accused, and upon his appearance or contempt to proceed to the examination of the matter of Fact, and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible Witnesses (which oath they or any two or more of them have hereby power to administer) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and issue out Warrants under their Hands for the levying of such forfeitures, penalties and fines as by this Act is imposed, for any such offence committed, upon the Goods and Chattels of the offender, and to cause sale to be made of the said Goods and Chattels, if they shall not be redeemed within fourteen dayes, rendering

Appeals by parties grieved

rendering to the party the overplus if any be, and for want of sufficient distress, to imprison the party offending till satisfaction be made.

Provided nevertheless, that it shall and may be lawful, to and for the said respective Justices of peace, Commissioners for Excise, or any two of them, or their Sub-commissioners respectively, from time to time, where they shall see cause, to mitigate, compound or lessen such forfeiture, penalty or fine, as in their discretion they shall think fit; And that every such mitigation and payment thereupon accordingly made, shall be a sufficient discharge of the said penalties and forfeitures to the persons so offending, so as by such mitigation the same be not made less than double the value of the duty of Excise, which should or ought to have been paid, besides the reasonable costs and charges of such Officer or Officers, or others, as were employed therein, to be to them allowed by the said Justices; any thing in this Act to the contrary in any wise notwithstanding. And it is hereby further Enacted and Ordained, that all Fines, Forfeitures and Penalties mentioned in this Act, all necessary charges for the recovery thereof being first deducted, shall be employed three fourth parts thereof to and for the use of the Kings Majesty, and the other fourth part to the Discoverer or Informer of the same: And for the better managing, collecting, securing, levying and recovering of all and every the said rates and charges of Excise hereby imposed, and set upon all or any the commodities before mentioned, to the end the same may be paid and disposed of according to the intent of this present Act. Be it further Enacted and Ordained by the Authority aforesaid, and it is hereby Enacted, That one principal head Office shall be erected, and continued in the City of London, or within ten miles thereof, from time to time as long as his Majesty shall think fit, for this duty, unto which all other Offices for the same within England and Wales, and the Town and Port of Berwick, shall be subordinate and accomptable: Which said Office shall be managed by such Officers as shall be appointed by the Kings Majesty as aforesaid, who, or any two of them, are hereby appointed and constituted Commissioners and Governors for the management of his Majesties Receipt of the Excise, and to sit in some convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majesty shall think fit.

Fines and forfeitures may be mitigated.

How the Fines and Forfeitures shall be employed.

Commissioners and Governors for managing the Receipts of Excise.

And be it Enacted by the Authority aforesaid, that no person or persons shall be capable of intermeddling with any Office or Employment relating to the Excise, until he or they shall before two or more Justices of the peace in the County where his or their Employments shall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to Administer, together with this Oath following, Mutatis mutandis.

**Y**ou shall swear to execute the Office of truly and faithfully The Oath.  
without Favor or Affection, and shall from time to time true Accompt make, and deliver to such person or persons as his Majesty shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office, from any other person, then from his Majesty, or those whom his Majesty shall appoint in that behalf.

And be it further Enacted by the Authority aforesaid, that every such Justice of Peace shall certify the taking of such Oath to the next Quarter Sessions, there to be recorded; And it is further Enacted, that all parts of the Cities of London and Westminster, with the Borough of Southwark, and the several Suburbs thereof, and parishes within the weekly Bills of Mortality, shall be under the immediate care, inspection and management of the said head Office, and such as so many subordinate Commissioners, and Sub-commissioners, and other Officers and Ministers for the Execution of the Premises, shall be from time to time nominated and appointed by his Majesty, in all and every other the Counties, Cities, Towns and places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majesty shall think fit. And it is hereby further Enacted, that the said Office of

Certificates of the next quarter Sessions.

London, Westminster, Southwark.

Officers to be appointed by his Majesty.



The Excise  
Office to be  
kept open.

The monies  
collected to  
be paid into  
the receipt of  
the Exchequer.

Persons sued  
may plead the  
general issue

Writs of Cer-  
tiorari shall  
not supersede  
any proceed-  
ings.

Proviso for  
Ed. Blackwell  
for payment of  
2450 l.

Excise in all places where it shall be appointed, shall be kept open from eight of the clock in the morning, till twelve of the clock at noon; and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. And it is further hereby Enacted, that the said chief Commissioners of Excise, or the major part of them, shall from time to time, issue forth and pay such sum and sums of money, as shall from time to time be Received, Collected or Levied by vertue of this Act, into his Majesties Receipt of Exchequer.

Provided alwaies, and be it Enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, he or they shall or may plead the general issue, and give this Act in evidence for his defence; and if upon the tryal a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be non-suited, then such Defendant or Defendants shall have double Costs to him or them awarded against such Plaintiff or Plaintiffs.

Provided also, and be it Enacted, that no Writ or Writs of Certiorari shall supersede Execution or other Proceedings, upon any Order or Orders made by the Justices aforesaid in pursuance of this Act, but that Execution and other Proceeding shall and may be had and made thereupon, any such Writ or Writs, or allowance thereof notwithstanding.

Provided alwaies, and be it further Enacted, that this Act, or any thing therein contained, shall not be prejudicial to Edward Blackwell Alderman of London, as to the sum of twenty eight thousand, four hundred and fifty pounds (or any part thereof) by him advanced upon the credit of several Orders of this present Parliament, and by them charged on the receipt of the Grand Excise: that is to say, the sum of five thousand pounds payable to his Majesties Surveyor General for the repair of his Majesties houses, charged by vertue of an Order of the sixth of September, One thousand six hundred and sixty, with Interest for the same; the sum of ten thousand pounds advanced to her Highness the Princess Royal, being charged with Interest by an Order of the thirteenth of September, One thousand six hundred and sixty; the sum of ten thousand pounds payable to her Majesty the Queen of Bohemia, being charged together with Interest, by an Order of the thirteenth of September, One thousand six hundred and sixty; the sum of three thousand four hundred and fifty pounds payable for Provisions for Dunkirke, by Order of the twenty sixth of November, One thousand six hundred and sixty; which sum of twenty eight thousand four hundred and fifty pounds, together with Interest for the same, according to the tenor of the said Orders, after the rate of six per cent. shall be paid to the said Edward Blackwell, or his Assigns, out of the Grand Excise, and the Arrears thereof in course, as is by the said Orders appointed; and in case the same shall fall short in payment by the twenty fifth of December, One thousand six hundred and sixty, that then the remainder shall continue secured to him out of the whole Excise in course as aforesaid, and that no other payments to be made out of the Excise, but what is appointed by this present parliament in course to precede the same, until the said Debt due to the said Edward Blackwell, be satisfied; and that in case any part of the monies due to Alderman Blackwell, be paid out of that part of the Excise which shall grow due to the Kings Majesty: that then his Majesty shall be reimbursed the same out of the first monies that shall come in of the Arrears of Excise that will be due the said twenty fifth of December. St. 13. Car. 2. cap. 6.

## CAP. XXIV.

An Act taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, taken away, and for settling a Revenue upon his Majesty in Lieu thereof.

**V**hereas it hath been found by former experience, that the Court of Wards and Liveries, and Tenures by Knights service, either of the King or others, or by Knights service in Capite, or Socage in Capite of the King, and the consequents upon the same have been much more burthensome, grievous and prejudicial to the Kingdom, then they have been beneficial to the King: And whereas since the Intermision of the said Court, which hath been from the Four and twentieth day of February, which was in the year of our Lord, One thousand six hundred forty and five, many persons have by Will and otherwise made disposal of their Lands held by Knights service, whereupon divers Questions might possibly arise, unless some seasonable remedy be taken to prevent the same; Be it therefore Enacted by the King our Sovereign Lord, with the assent of the Lords and Commons in Parliament assembled, and by the Authority of the same, and it is hereby Enacted, That the Court of Wards and Liveries, and all Wardships, Liveries, Primer-Seizins, and Duffer-le-mains, values and forfeitures of Marriages, by reason of any Tenure of the Kings Majesty, or of any other by Knights service, and all mean Rates, and all other Gifts, Grants, Charges incident or arising, for or by reason of Wardships, Liveries, Primer-Seizins, or Duffer-le-mains, be taken away and discharged, and are hereby Enacted to be taken away and discharged, from the said twenty fourth day of February, One thousand six hundred forty five, any Law, Statute, Custom, or Usage, to the contrary hereof in any wise notwithstanding; And that all Fines for Alienations, Seizures, and Pardons for Alienations, Tenure by Homage and all Charges incident, arising, for or by reason of Wardship, Livery, Primer-Seizin, or Duffer-le-main, or Tenure by Knights service, Escuage, and also Aide pur file marrier, & pur faier fitz Chivalier, and all other Charges incident thereunto, be likewise taken away and discharged, from the said twenty fourth day of February, One thousand six hundred forty and five, any Law, Statute, Custome, or Usage, to the contrary hereof in any wise notwithstanding: And that all Tenures by Knights service of the King, or of any other person, and by Knights service in Capite, and by Socage in Capite of the King, and the fruits and consequents thereof, happened, or which shall or may hereafter happen or arise thereupon, or thereby, be taken away and discharged, Any Law, Statute, Custome, or Usage to the contrary hereof, in any wise notwithstanding. And all Tenures of any Honors, Manors, Lands, Tenements, or Hereditaments, or any Estate of Inheritance at the common Law, held either of the King or of any other person or persons, Bodies Politick, or Corporate, are hereby Enacted to be turned into free and common Socage, to all intents and purposes, from the said twenty fourth of February, One thousand six hundred forty five, and shall be so construed, adjudged and deemed to be from the said twenty fourth day of February, One thousand six hundred forty five, and for ever thereafter turned into free and common Socage, Any Law, Statute, Custom or Usage to the contrary hereof, in any wise notwithstanding.

And that the same shall for ever hereafter stand and be discharged of all Tenure by Homage, Escuage, Voyages-Royal, and charges for the same, Wardships incident to Tenure by Knights service, and values and forfeitures of marriage, and all other charges incident to tenure by Knights service, And of and from Aide pur file marrier, and Aide pur faier fitz Chivalier, any Law, Statute, Usage, or Custom to the contrary in any wise notwithstanding. And that all

The reasons of this Act,

The Courts of Wards and Liveries, Primer-Seizin, &c. taken away.

Fines for Alienations, &c. taken away.

Tenures by Knights service, taken away.

Tenures by homage, escuage, &c. discharged.



conveyances and devises of any Manors, Lands, Tenements, and Hereditaments, made since the said twenty fourth of February, shall be expounded to be of such effect as if the same Manors, Lands, Tenements, and Hereditaments, had been then held and continued to be holden in free and common Soccage only, any Law, Statute, Custome or usage to the contrary hereof in any wise notwithstanding.

The Acts of  
32 H. 8. cap.  
6. & 33. H. 8.  
cap. 22.  
repealed.

And be it further Ordained and Enacted by the Authority of this present Parliament, that one Act made in the reign of King Henry the Eighth, Entituled, An Act for the establishment of the Court of the Kings Wards: And also one Act of Parliament made in the three and thirtieth year of the Reign of the said King Henry the Eighth, concerning the Officers of the Court of Wards and Liberties, and every Clause, Article and matter in the said Acts contained, shall from henceforth be repealed and utterly void.

All tenures to  
be created by  
the King here-  
after shall be  
free and com-  
mon Soccage.

And be it further Enacted by the Authority aforesaid, that all tenures hereafter to be created by the Kings Majesty, his Heirs or Successors, upon any gifts or grants of any Manors, Lands, Tenements, or Hereditaments, of any Estate of Inheritance at the common Law, shall be in free and common Soccage, and shall be adjudged to be in free and common Soccage only, and not by Knights service, or in Capite, and shall be discharged of all Wardship, value and forfeiture of Marriage, Livery, Primer Seizin, Ouster le main, Aide pur faier fitz Chivalier, and pur file marrier, any Law, Statute, or reservation to the contrary thereof in any wise notwithstanding.

Proviso for  
rents certain,  
herriotts, &c.

Provided nevertheless, and be it Enacted, That this Act, or any thing herein contained, shall not take away, nor be construed to take away any Rents certain, Herriotts, or Suits of Court belonging or incident to any former Tenure now taken away or altered by vertue of this Act, or other Services incident or belonging to Tenure in common Soccage due or to grow due to the Kings Majesty, or mean Lords, or other private person, or the fealty and distresses incident thereunto; And that such relief shall be paid in respect of such Rents, as is paid in case of the death of a Tenant in common Soccage.

Fines for Ali-  
enations due by  
particular cus-  
toms of ma-  
nors.

Provided alwaies, and be it Enacted, That any thing herein contained shall not take away nor be construed to take away any Fines for Alienation due by particular customes of particular Manors and places, other then Fines for Alienations of Lands or Tenements holden immediately of the King in Capite.

Tenures in  
Frank Almoigne

Provided also, and be it further Enacted, that this Act or any thing therein contained, shall not take away or be construed to take away Tenures in Frank Almoigne, or to subject them to any greater or other services then now are; nor to alter or change any Tenure by Copy of Court Roll, or any services incident thereunto, nor to take away the honorary services of Grand Serjeanty, other then of Wardship, Marriage and value of Forfeiture of Marriage, Ecuage, Voyages Royal, and other charges incident to Tenure by Knights Service; and other then Aide pur faier fitz Chivalier, and Aide pur file marrier.

Copy of  
Court Roll.

Honorary  
Services.

Parents may  
dispose of the  
custody of  
children du-  
ring their  
minority.

And be it further Enacted by the Authority aforesaid, that where any person hath, or shall have any Child or Children under the age of twenty one years, and not married at the time of his death, that it shall and may be lawful to and for the Father of such child or children, whether born at the time of the decease of the Father, or at that time in ventre sa mere, or whether such Father be within the age of twenty one years, or of full age, by his deed executed in his life time, or by his last Will and Testament in writing in the presence of two or more credible witnesses, in such manner, and from time to time as he shall respectively think fit, to dispose of the custody and tuition of such child or children, for, and during such time as he or they shall respectively remain under the age of twenty one years, or any lesser time, to any person or persons in possession or remainder, other then Popish Recusants; And that such disposition of the custody

custody of such child or children made since the twenty fourth of February, One thousand six hundred forty five, or hereafter to be made, shall be good and effectual against all and every person or persons claiming the custody or tuition of such child or children as Guardian in socage, or otherwise: And that such person or persons to whom the custody of such child or children hath been, or shall be so disposed or devised as aforesaid, shall and may maintain an action of Raviishment of Ward, or trespass, against any person or persons which shall wrongfully take away or detain such child or children, for the Recovery of such child or children, and shall and may recover damages for the same in the said Action, for the use and benefit of such child or children.

ACTIONS of raviishment of Wards.

And be it further Enacted, That such Person or Persons to whom the custody of such Child or Children hath been or shall be so disposed or devised, shall and may take into his or their custody to the use of such Child or Children, the profits of all Lands, Tenements, and Hereditaments of such Child or Children; and also the custody, tuition and management of the Goods, Chattels, and personal Estate of such Child or Children, till their respective Age of twenty one years, or any lesser time according to such disposition aforesaid; and may bring such Action or Actions in relation thereunto, as by Law a Guardian in common socage might do: Provided also, That this Act or any thing therein contained, shall not extend to alter or prejudice the Custom of the City of London, nor of any other City or Town Corporate, or of the Town of Berwick on Tweed concerning Orphans; nor to discharge any Apprentice from his Apprenticeship.

The lands of children, and the management of their personal estate by their guardians.

Provided also, That neither this Act nor any thing therein contained, shall infringe or hurt any Title of Honour, Feodal or other, by which any Person hath, or may have right to sit in the Lords House of Parliament, as to his or their Title of Honour, or sitting in Parliament, and the privilege belonging to them as Peers; This Act or any thing therein contained to the contrary in any wise notwithstanding.

Proviso touching Titles of honour feodal.

And whereas by like experience it hath been found, that though divers good strict and wholesome Laws have been made in the times of sundry His Majesties most noble Progenitors, some extending so far as to life, for Redress of the grievances and oppressions committed by the persons employed for making provisions for the Kings Household, Carriages, and other purveyance for His Majesty and His occasions; Yet divers oppressions have been still continued, and several Counties have submitted themselves to sundry Rates and Taxes, and Compositions, to redeem themselves from such vexations and oppressions: And forasmuch as the Lords and Commons assembled in Parliament do find that the said Remedies are not fully effectual, and that no other remedy will be so effectual and just, as to take away the occasion thereof, especially if satisfaction and recompence shall be therefore made to His Majesty, His Heirs and Successors, which is hereby provided to His Majesties good liking and content; His Majesty is graciously pleased, that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords and Commons in this present Parliament assembled, That from henceforth no sum or sums of money or other thing shall be taken, raised, taxed, rated, imposed, paid, or levied, for, or in regard of any provision, Carriages, or purveyance for His Majesty, His Heirs or Successors.

Purveyances and provisions for the Kings household taken away. Alt. St. 13. Car. 1. cap. 7.

And that henceforth, no person or persons by any Warrant, Commission, or Authority under the great Seal, or otherwise by colour of buying or making provision or purveyance for His Majesty, or any Queen of England for the time being, or of any the Children of any King or Queen of England for the time being, or that shall be, or for his, their, or any of their Household, shall take any Timber, Fuel, Cattel, Corn, Grain, Hault, Hay, Straw, Victual, Cart, Carriage, or other thing whatsoever, of any the Subjects of His Majesty, His Heirs or Successors, without the free and full consent of the Owner or Owners thereof, had and obtained without menace or enforcement; nor shall summon,

Purveyances for the King, Queen, &c.

Timber, Carts, Carriages, &c. taken away.

warn,



See Stat. 13.  
Car. 2. cap. 8.

warn, take, use, or require any the said Subjects to furnish or find any Horses, Dren, or other Cattel, Carts, Ploughs, Wains, or other carriages, for the use of His Majesty, His Heirs or Successors, or of any Queen of England, or of any child, or children of any the Kings or Queens of England for the time being, for the carrying the Goods of His Majesty, His Heirs or Successors, or the said Queens, or Children, or any of them, without such full and free consent as aforesaid, any Law, Statute, Custom, or Usage, to the contrary notwithstanding.

No pre-emption to be allowed or claimed in behalf of the King, &c.

The Penalty.

No action upon this Statute to be stayed, but by Order of the Court where such action depends

Premunire.

Proviso for the Stannaries.

Butlerage, Prizage.

Recompence to his Majesty for the Court of Wards and Purveyances.

And be it further Enacted, That no pre-emption shall be allowed or claimed in the behalf of His Majesty, or of any His Heirs or Successors, or of any the Queens of England, or of any the children of the Royal Family for the time being, in Market or out of Market; but that it be, for ever hereafter, free to all and every of the Subjects of His Majesty, to sell, dispose, or employ his said Goods to any other person or persons as him listeth, any pretence of making provision or purveyance of Victual, Carriages, or other thing for His Majesty, His Heirs or Successors, or of the said Queens, or Children, or any pretence of pre-emption in their or any of their behalfs notwithstanding. And if any person or persons shall make provision or purveyance for His Majesty, His Heirs or Successors, or any the Queens, or Children aforesaid, or impels or take any such Carriages or other things aforesaid, on any pretence or colour of any Warrant aforesaid, under the Great Seal, or otherwise, contrary to the intent hereof, it shall be lawful for the Justices of Peace, or such two or one of them as dwell near, and to the Constables of such Parish or Village where such occasion shall happen, at the request of the party grieved; And they are hereby enjoined to commit or cause to be committed the party or parties so doing and offending to Gaol, till the next Sessions, there to be indicted and proceeded against for the same; and that the Officers and Inhabitants of the Village or Parish where such offence shall happen, shall be assistant therein; and moreover, the party grieved shall have his action or actions against such offender or offenders, and therein recover his treble damages and treble costs: In which Action, no Essoign, Wager of Law, Aid, Pledge or privilege, Protection, Imparllance, Injunction, or Order of Restraint, shall be granted or allowed: And if any person or persons shall (after notice given, that the Action depending is grounded upon this Statute) cause or procure any action at the Common Law, grounded on this Statute, to be delayed or stayed before Judgement, by colour or means of any Order, Power, Warrant, or Authority, save only of the Court where such Action shall be brought and depending, or after Judgement had upon such Action, shall cause or procure Execution of such Judgment to be stayed or delayed by colour or means of any Order, Warrant, Power, or Authority, save only by Writ of Error, or Attaint, or Order of such Court where such Writ of Error or Attaint shall be depending, That then the person so offending shall incur the pains, penalties, and forfeitures ordained and provided by the Statute of Provision, and Premunire, made in the sixteenth year of the Reign of King Richard the second: Provided alwaies, That this Act extend not to prejudice any of His Majesties Rights, Titles, or Duties of, in, or to, or out of any Cin in the Stannaries of Devon and Cornwall, nor to prejudice the ancient Duties of Butlerage and prizage of Wines; but that the same shall be in the same plight that the same were before the making of this Act, any thing herein contained to the contrary in any wise notwithstanding: And now to the intent and purpose that His Majesty, His Heirs and Successors, may receive a full and ample Recompence and Satisfaction, as well for the profits of the said Court of Wards, and the Tenures, Wardships, Liveries, Primer Seizings, Duffermaines, and other the Premises, and Perquisites incident thereunto; and for all Arrears any way due for the same, as also for all and all manner of Purveyance, and Provisions herein before mentioned, and intended to be taken away and abolished; and all sums of money due or pretended to be due, or payable for, and in respect of any compositions for the same:

Be

Be it therefore Enacted by the Authority aforesaid, That there shall be paid unto the Kings Majesty, His Heirs and Successors, for ever hereafter, in recompence as aforesaid, the several Rates, Impositions, Duties, and Charge herein after expressed, and in manner and form following (that is to say)

Rates of the  
Excise.

For every Barrel of Beer or Ale above six shillings the Barrel, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale, publicly or privately, to be paid by the Common Brewer, or by such other Person or Persons respectively, and so proportionably for a greater or lesser quantity, One shilling three pence. } xv d.

For every Barrel of Six shillings Beer or Ale, or under, brewed by the Common Brewer, or any other Person or Persons, who doth or shall sell or tap out such Beer or Ale publicly or privately, to be paid by the said Common Brewer, or by such Person or Persons respectively, as aforesaid, and so proportionably for a greater or lesser quantity, three pence. } iii d.

For all Syder and Perry made and sold by retail, upon every Hogshead to be paid by the Retayler thereof, and so proportionably for a greater or lesser measure, One shilling three pence. } xv d.

For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the maker thereof upon every Gallon, One half penny. } Ob.

For every barrel of Beer, commonly called Vinegar-beer, brewed by any common Brewer in any common Brew-house, six pence. } vi d.

For every Gallon of Strong-water or Aquavitæ, made and sold, to be paid by the maker thereof, One penny. } i d.

For every Barrel of Beer or Ale Imported from beyond the Seas, Three shillings. } iii s.

For every Tun of Syder or Perry Imported from beyond the Seas, and so proportionably for a greater or lesser quantity, Five shillings. } v s.

For every Gallon of Spirits made of any kind of Wine or Syder imported, Two pence. } ii d.

For every Gallon of Strong-water perfectly made, imported from beyond the Seas, Four pence. } iiii d.

For every Gallon of Coffee made and sold, to be paid by the maker, Four pence. } iiii d.

For every Gallon of Chocolate, Sherbet and Tea, made and sold, to be paid by the maker thereof, Eight pence. } viii d.

And be it further Enacted and Ordained by the Authority aforesaid, That the several Rates, Duties, and Charges of Excise, or New Impost above mentioned, hereby set or imposed upon all and every the said Foreign Liquors which shall be Imported or brought into all or any the Ports of this Kingdom and Dominions thereof, aforesaid, from and after the five and twentieth of December next, shall be from time to time satisfied and paid by the Merchant or Merchants;

Rates of Excise upon foreign Liquors imported, to be paid in money before landing;



chants, Importer or Importers of the same, in ready money, upon his or their Entry or Entries made, and before the landing thereof.

Entries to be made at the Office of Excise by Common Brewers, Inn-keepers, &c.

And be it further Enacted by the Authority aforesaid, That all common Brewers of Beer and Ale, shall once in every week; And all Inn-keepers, Ale-house-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, or Strong-water, Brewing, making or retailing the same, shall once in every moneth make true and particular Entries at the Office of Excise, within the limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-Water, or other Liquors aforesaid, which they or any of them shall Brew, Make, or Retail, in that week and moneth respectively, as aforesaid.

The penalty for not making Entries.

And be it further Enacted by the Authority aforesaid, That all such common Brewers who do not once a Week make due and particular Entries, shall forfeit ten pounds: And that every such Inn-keeper who doth not make true and particular Entries once a moneth, shall forfeit five pounds: And that every Alehouse-keeper, Victualler, or other Retailer, who doth not once a moneth make true and particular Entries, shall forfeit twenty shillings.

The penalty for not paying.

And be it further Enacted by the Authority aforesaid, That every common Brewer, who shall not pay and clear off within a week after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the duty: And that every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer, who shall not pay and clear off within a moneth after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: The said respective forfeitures to be levied upon their Goods and Chattels, in such manner and form, as hereafter in this Act is ordained and directed.

In what places Entries shall be made.

Provided, that no such person, as aforesaid, shall be compelled by the Commissioners, or Sub-Commissioners of Excise, to travel for the making of the said Entries or payment of the said Duties, or other cause whatsoever, touching or concerning the same, if he live in a Market Town, out of the said Town; if he live out of a Market Town, then to no other place, then to the next Market Town to his habitation in the same County on the Market day.

The powers of the Commissioners, and Sub-Commissioners to appoint Gagers.

The Powers of the Gagers.

And be it further Enacted and Ordained by the Authority aforesaid, That the Commissioners who shall be appointed by His Majesty for putting this Act in execution, and their Sub-Commissioners in their respective circuits and divisions, shall hereby have power to constitute under their Hands and Seals, such and so many Gagers as they shall find needful: Which Gagers, and every of them, shall at all times, as well by Night as by Day; And if by Night, then in the presence of a Constable, or other lawful Officer, be permitted upon their request to enter the House, Brew-house, Distilling-house, and all other Houses and Places whatsoever, belonging to, or used by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, Brewing or Making the same as aforesaid, or by any Distiller of Strong-Waters, or Retailer of other the Liquors aforesaid, And to Sage all Coppers, Fats, and Vessels in the same, and to take an account of Beer, Ale, Worts, Perry, Syder, Strong-waters, Aquavite, Metheglin, or other Liquors aforesaid, in the said Houses, Places, and Vessels, from time to time Brewed, or Made, and Distilled; and thereof to make Return or Report in Writing to the said Commissioners, or Sub-Commissioners of Excise, under whose Office and Limits such Brewer, Retailer, Distiller, or Maker of the Liquors aforesaid, doth dwell and inhabit, leaving a true Copy of such Return in writing under his hand with such Brewer, Retailer, Distiller, or Makers of the Liquors aforesaid; And such Reports or Returns of the said Gagers shall be a charge upon the said Brewers, Makers, and Retailers respectively; And if any such common Brewer, Maker, or Retailer, shall refuse to permit any such Gager or Gagers to enter his Brew-house, or any other places aforesaid, or to gage or take account of his Brewing-Vessels, or of any such Beer, Ale, Worts, Perry, Syder, Strong-

Strong-water, Aquavite, Metheglin, or other the Liquors aforesaid, such Brewer, Retailer, or Distiller, shall be forthwith forbidden by the said Sager or Sagers to sell, carry out, or deliver to any his Customers any Beer, Ale, Strong-water, Aquavite, or other the Liquors aforesaid; And if any such Brewer, Retailer or Distiller of any the Liquors aforesaid after such warning given, shall sell, carry, or deliver out the same, or any part thereof, not having paid and cleared the duty of Excise, such person and persons shall, besides the forfeiture of double the value, forfeit and lose the sum of ten pounds, as aforesaid, for every offence, to be levied and recovered upon his or their Goods and Chattels, in manner and form as hereafter in this Act is provided.

Penalty for selling, &c. not having cleared the Excise.

And for the avoiding of all Incertainty, and dispute, touching the returns made, or to be made by the Sagers of any Beer or Ale so brewed as aforesaid; Be it Enacted and declared by the Authority aforesaid, That every six and thirty Gallons of Beer taken by the Sage according to the Standard of the Ale-quart, four whereof shall make the Gallon, remaining in the custody of the Chamberlains of his Majesties Exchequer, shall be reckoned, accounted and returned by the Sager for a Barrel of Beer; And every two and thirty Gallons of Ale, taken by the Sage according to the same Standard, shall be in like manner reckoned, accounted, and returned for a Barrel of Ale; And all other the Liquors aforesaid according to the Wine-gallon.

Proportions to be observed in returns of Sagers.

Provided alwaies, and be it Enacted and Ordained by the Authority aforesaid, That no Brewer or Retailers of Beer or Ale shall take any more in the price thereof, upon sale of the same, then according to the usual Rates and Prizes, saving that every common Brewer shall and may take and receive of all and every person and persons to whom he shall sell and deliver any Beer or Ale, the Excise thereupon due as aforesaid, over and above the usual Rates and Prizes.

Brewers and Retailers to observe the usual rates and prizes.

And be it enacted by the Authority aforesaid, That for the better encouragement of all common Brewers or Makers of Beer or Ale to make due entry and payment thereof, according as by this Act is appointed, the said common Brewer not selling the same by Retail, for and in consideration of waste by fillings and leakage of their Beer and ale, shall have and be allowed out of the said Returns made by the Sagers, the several allowances and abatements hereafter mentioned (that is to say) upon every three and twenty Barrels of Beer, whether strong or small, returned by the said Sagers, three Barrels; And upon every two and twenty Barrels of Ale, whether strong or small, returned by the Sagers, two Barrels; which said allowances and abatements the said Commissioners to be appointed as aforesaid, and their Sub-Commissioners are hereby authorized to allow and make accordingly.

Encouragement to Brewers to make true entries.

Allowance for Waste and Leakage.

Provided alwaies, That where any common brewer shall wittingly or wilfully make a false Entry, and be convicted for the same before the Commissioners to be appointed as aforesaid, or any two of them, or before such other person or persons as are hereafter by this Act appointed, in that case such Brewer or Brewers shall forfeit and lose over and besides the penalties before mentioned, the said allowance so to be made for six moneths then next ensuing.

Forfeiture for making false entries.

And be it Enacted and ordained by the Authority aforesaid, That no Beer or Ale shall be delivered in by such brewer or maker thereof to any Victualler or any Retailer thereof, untill the Rate which by such Victualler or Retailer is to be paid over and above the price of the said Beer or Ale, for or in respect of this duty, be first paid and satisfied by the said Victualler or Retailer to the brewer or maker thereof. Provided alwaies, That if any person or persons shall brew and sell by retail any small quantities of Beer or Ale in any Fair within this Realm, or Dominions aforesaid, who is not otherwise any common or usual brewer or Retailer thereof, and shall before any such selling and retailing thereof, well and truly pay and satisfy the duty due for the same to the Commissioners or Sub-Commissioners within whose Limits or Division the said Fair shall be held, or to their Officers thereunto appointed; Then such person or persons so brewing

No Beer, &c. to be delivered by the Brewer until the Excise be paid by the retailer.

Proviso for Beer and Ale sold in Fairs.



or retailing the same, And for so much, and no more, nor otherwise, shall be freed and discharged from all Penalties and Forfeitures in and by this Act before mentioned and imposed; Any thing therein contained to the contrary notwithstanding.

The Commissioners may compound for the Excise within their Divisions.

Provided nevertheless, that it shall and may be lawful to and for the said Commissioners, and Sub-commissioners respectively, to compound for this Duty with an Inn-keeper, Victualler, Alehouse-keeper, or Retailer of Beer, Ale, and other the Liquors aforesaid within their respective Divisions, from time to time, and in such manner and form as may be most for the advantage and improvement of the receipts thereof: Any thing in this Act before contained to the contrary notwithstanding.

The power of the Lord Treasurer, &c. to contract for farming any the rates or duties in this Act,

And it is further Ordained and Enacted by the Authority aforesaid, That the Lord Treasurer or Commissioners of the Treasury for the time being, or such other person or persons as His Majesty, His Heirs and Successors, shall appoint, shall have power, and are hereby authorized and impowered from time to time to treat, contract, conclude, and agree with any person or persons for or concerning the Farming of all or any the Rates, Duties, and Charges in this Act mentioned upon Beer, Ale, Perry, Syder, or other the Liquors aforesaid, in any the respective Counties, Cities, or Places of this Realm or Dominions thereof, as may be for the greatest benefit and advantage of the said Receipt, so as the same exceed not the term of three years. And be it further Enacted, That every such Contract, Bargain, and Agreement of the Lord Treasurer, or Commissioners of the Treasury, or other persons aforesaid, on behalf of His Majesty on the one part, and the person or persons farming on the other part, shall be good and effectual in Law, to all intents and purposes.

Persons to be approved by the Justices of the Peace, &c. within six moneths, to have the refusal of contracting for the Excise in their respective Counties:

Provided alwaies, to the end the aforesaid duty may be paid with most ease to the people, It is hereby further Enacted, That the Lord Treasurer, Commissioners of the Treasury, or other persons aforesaid, shall not within six moneths after the Commencement of this Act, treat, conclude, or agree with any person or persons touching the Farming of this duty upon Beer and Ale in any the respective Counties or places of this Realm or Dominions thereof, other than with such person or persons as by the Justices of Peace of the said Counties or places, or the major part of them, at their publick Quarter Sessions shall be nominated and appointed in that behalf, which persons or person is to have the first refusal of any such Farm respectively, and may take the same: Any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided, that the said duty shall not be let to any person or persons, then to the person or persons recommended by the Justices, under the rate that it shall be tendred to, and refused by such person or persons so recommended.

Forfeiture and offences within this Act how to be determined.

And be it further Enacted and Ordained by the Authority aforesaid, That all forfeitures and offences made, done, and committed against this Act, or any Clause, or Article therein contained, shall be heard, adjudged, and determined by such person and persons, and in such manner and form as hereafter in and by this Act is directed and appointed; that is to say, all such forfeitures and offences made and committed within the immediate limits of the chief Office in London, shall be heard, adjudged, and determined, by the said Commissioners and Governors of Excise (appointed by His Majesty) or the Major part of them, or by the Commissioners for Appeals, and regulating of this duty, or the major part of them in case of Appeal, and not otherwise. And all such forfeitures and offences made and committed within all, or any other the Counties, Cities, Towns, or Places within this Kingdom, or Dominions thereof, shall be heard and determined by any two or more of the Justices of the Peace residing near to the place where such forfeitures shall be made or offence committed: And in case of neglect or refusal of such Justices of the Peace, by the space of fourteen days next after complaint made, and notice thereof given to the Offender, then the Sub-Commissioners or the major part appointed for any such City, County, Town, or place, shall and are hereby impowered to

London.

Counties, Cities, &c. within this Kingdom.

Neglects of the Justices,

to

to hear and determine the same; And if the party find himself aggrieved by the Judgment given by the said Sub-Commissioners, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby impowered and authorized to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for Appeals and regulating of this duty, and the chief Commissioners for Excise, and all Justices of Peace, and Sub-Commissioners aforesaid respectively, are hereby authorized, and strictly enjoined and required upon any complaint and information exhibited and brought of any such forfeiture made, or offence committed contrary to this Act, to summon the party accused, and upon his appearance or contempt to proceed to examination of the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witnesses (which Oath they or any two or more of them have hereby power to administer) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and issue out Warrants under their hands for the levying of such forfeitures, penalties, and fines, as by this Act is imposed, for any such offence committed, upon the Goods and Chattels of the Offender, and to cause sale to be made of the said Goods and Chattels (if they shall not be redeemed within fourteen dates) rendering to the party the overplus (if any be) and for want of sufficient distress, to imprison the party offending till satisfaction be made.

Levying the forfeitures.

Provided nevertheless, That it shall and may be lawful, to and for the said respective Justices of Peace, Commissioners for Excise, or any two of them, or their Sub-Commissioners respectively, from time to time, where they shall see cause, to mitigate, compound, or lessen such forfeiture, penalty, or fine, as in their discretion they shall think fit; And that every such mitigation and payment thereupon accordingly made, shall be a sufficient discharge of the said penalties and forfeitures to the persons so offending, so as by such mitigation the same be not made less than double the value of the duty of Excise, which should or ought to have been paid, besides the reasonable costs and charges of such Officer or Officers, or others, as were employed therein, to be to them allowed by the said Justices; any thing in this Act to the contrary in any wise notwithstanding. And it is hereby further Enacted and Ordained, That all Fines, Forfeitures, and Penalties mentioned in this Act, all necessary charges for the recovery thereof being first deducted, shall be employed three fourth parts thereof to and for the use of the Kings Majesty, and one fourth part to the Discoverer or Informer of the same: And for the better managing, collecting, securing, levying, and recovering of all and every the said rates and charges of Excise hereby imposed, and set upon all or any the Commodities before mentioned, to the end the same may be paid and disposed of according to the intent of this present Act, Be it further Enacted and Ordained by the Authority aforesaid, and it is hereby Enacted, That one principal Head Office shall be erected and continued in the City of London, or within ten miles thereof, from time to time, as long as his Majesty shall think fit, for this duty, unto which all other Offices for the same within England and Wales, and the Town and Port of Berwick, shall be subordinate and accountable: Which said Office shall be managed by such Officers as shall be appointed by the Kings Majesty as aforesaid, who, or any two of them, are hereby appointed and constituted Commissioners and Governors for the management of His Majesties Receipt of the Excise, and to sit in some convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majesty shall think fit.

Power to mitigate the forfeitures.

How the forfeitures shall be employed.

One principal Office of Excise erected in London.

And be it Enacted by the Authority aforesaid, That no person or persons shall be capable of intermeddling with any Office or Employment relating to the Excise, until he or they shall before two or more Justices of Peace in the County where his or their employments shall be, or before one of the Barons of the Exchequer, take the oaths of Allegiance and Supremacy, which oaths they have hereby power to administer, together with this Oath following, Mutatis Mutandis.



The Oath

**Y**ou shall swear to execute the Office of truly and faithfully without Favour or affection, and shall from time to time true Accompt make, and deliver to such person and persons as his Majesty shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office, from any other person, than from his Majesty, or those whom his Majesty shall appoint in that behalf.

London, West-  
minster, &c. to  
be under the  
management  
of the chief  
Office.

All Commis-  
sioners, &c. to be  
nominated by  
his Majesty.

Times in  
which the Of-  
fice shall be  
kept open.

The general  
issue pleadable  
in any action  
upon this Sta-  
tute.

Writs of Cer-  
tiorari no su-  
percede.

Proviso as to  
the Act of ge-  
neral pardon.

Proviso con-  
cerning Ed-  
ward Back-  
well.

And be it further Enacted by the Authority aforesaid, That every such Justice of Peace shall certify the taking of such Oath to the next Quarter Sessions, there to be Recorded; And it is further Enacted, That all parts of the Cities of London and Westminster, with the Borough of Southwark, and the several Suburbs thereof, and Parishes within the weekly Bills of Mortality, shall be under the immediate care, inspection, and management of the said Head Office, and such and so many subordinate Commissioners, and Sub-Commissioners, and other Officers and Ministers for the execution of the Premises, shall be from time to time nominated and appointed by his Majesty, his Heirs and Successors, in all and every other the Counties, Cities, Towns, and places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majesty, his Heirs and Successors shall think fit. And it is hereby further Enacted, That the said Office of Excise in all places where it shall be appointed, shall be kept open from eight of the Clock in the morning till twelve of the Clock at noon, and from two of the Clock in the afternoon till five of the Clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. And it is further hereby Enacted, That the said chief Commissioners of Excise, or the major part of them, shall from time to time issue forth and pay such sum and sums of money, as shall from time to time be received, collected, or levied by virtue of this Act, into his Majesties Receipt of Exchequer.

Provided alwaies, and be it Enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, he or they shall and may plead the general issue, and give this Act in evidence for his defence, and if upon the Tryal a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be non-suit, then such Defendant or Defendants shall have double costs to him or them awarded against such Plaintiff or Plaintiffs.

Provided also, and be it Enacted, That no Writ or Writs of Certiorari shall supersede Execution or other proceedings, upon any Order or Orders made by the Justices aforesaid in pursuance of this Act, but that execution and other proceeding shall and may be had and made thereupon, any such Writ or Writs, or allowance thereof notwithstanding.

Provided, That this Act, or any thing therein contained, shall not extend, or be construed to extend in any manner to weaken or invalidate one Act of this present Parliament, Entituled, An Act of Free and General Pardon, Indemnity, and Oblivion, but that every Clause, Article, Matter, and thing therein mentioned and comprized, shall notwithstanding this Act, or any matter or thing therein, remain good and valid, and be of the same force, virtue, and effect, as if this Act had never been made.

Provided alwaies, and be it further Enacted, That this Act, or any thing therein contained, shall not be prejudicial to Edward Backwell Alderman of London, as to the sum of twenty eight thousand, four hundred and fifty pounds (or any part thereof) by him advanced upon the Credit of several Orders of this present Parliament, and by them charged on the Receipt of the Grand Excise: that is to say, the sum of five thousand pounds payable to his Majesties Surveyor General for the repair of his Majesties Houses, charged by virtue of an Order of the sixth of September, One thousand six hundred and sixty,

sixty, with Interest for the same; the sum of ten thousand pounds advanced to her Highness the Princess Royal, being charged with Interest by an Order of the thirteenth of September, One thousand six hundred and sixty; which the sum of ten thousand pounds payable to her Majesty the Queen of Bohemia, being charged together with Interest by an Order of the thirteenth of September, One thousand six hundred and sixty; the sum of three thousand four hundred and fifty pounds payable for Provisions for Dunkirk, by Order of the twenty fifth of November, One thousand six hundred and sixty; which sum of twenty eight thousand four hundred and fifty pounds, together with Interest for the same, according to the tenor of the said Orders, after the rate of six per cent. shall be paid to the said Edward Backwell, or his Assigns, out of the Grand Excise, and the Arrears thereof in course, as is by the said Orders appointed; and in case the same shall fall short in payment by the twenty fifth of September, One thousand six hundred and sixty, that then the remainder shall continue secured to him out of the whole Excise in course as aforesaid, and that no other payments be made out of the Excise, but what is appointed by this present Parliament in course to precede the same, until the said Debt due to the said Edward Backwell, be satisfied; and that in case any part of the moneys due to Alderman Backwell be paid out of that part of the Excise which shall grow due to the Kings Majesty, that then his Majesty shall be reimbursed the same out of the first moneys that shall come in of the Arrears of the Excise that will be due the said twenty fifth of December. Sc. 13. Car. 2. cap. 6.

## CAP. XXV.

An Act for the better Ordering the Selling of Wines by Retail, and for preventing Abuses in the Mingling, Corrupting, and Vitiating of Wines, and for Setting and Limiting the Prices of the same.

**F**OR the better Ordering of selling of Wines by retail in Taverns, and other places, and for the preventing of Abuses therein, Be it Enacted by the Kings most Excellent Majesty, by and with the consent of the Lords and Commons in Parliament assembled, and by the Authority of the same, That no person or persons whatsoever, from and after the five and twentieth day of March, one thousand six hundred and sixty one, unless he or they be authorized and enabled in manner and form as in this present Act is prescribed and appointed, shall sell or utter by retail, that is, by the Pint, Quart, Pottle or Gallon, or by any other greater or lesser retail measure, any kind of wine or wines to be drunk or spent within his or their Mansion-house or houses, or such other place in his or their tenure or occupation, or without such Mansion-house or houses, or such other place in his or their tenure or occupation, by any colour, craft, or mean whatsoever, upon pain to forfeit for every such offence the sum of five pounds; the one moiety of every such penalty to be to our Sovereign Lord the King, the other moiety to him or them that will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, in which Action or Suit no Essoign, wager of Law, or Protection shall be allowed.

The penalty of unlawful uttering Wine by retail.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for his Majesty, his Heirs and Successors, from time to time, to issue out under his or their Great Seal of England, one or more Commissions or Commissions directed to two or more persons, thereby authorizing them to License, and give authority to such person or persons as they shall think fit, to sell and utter by retail, all and every or any kind of wine or wines whatsoever, to be drunk and spent as well within the house or houses, or other place in the tenure or occupation of the party so Licensed, as without, in any City, Town, or other place within the Kingdom of England, Dominion of Wales,

His Majesty may issue out Commissions to license the uttering Wine:

and



and Town and Port of Berwick upon Tweed; and such persons as from time to time, or at any time hereafter shall be by such Commission or Commissions as aforesaid in that behalf appointed, shall have power and authority, and hereby have power and authority to treat and contract for Licence, authority and dispensations to be given and granted to any person or persons for the selling and uttering of Wines by retail in any City, Town or other place as aforesaid, according to the rules and directions of this present Act, and the true intent and meaning thereof, and not otherwise, any Law, Statute, Usage or Custome to the contrary in any wise notwithstanding.

His Majesties Agents for granting Wine Licences may grant Licences not exceeding 21 years, if the person so long live.

And be it further Enacted by the Authority aforesaid, That such persons as shall be commissioned and appointed by his Majesty, his Heirs or Successors, as aforesaid, shall be, and be called his Majesties Agents for granting Licences for the selling and uttering of Wine by retail; And his Majesties said Agents are hereby authorized and enabled under their Seal of Office, the same to be appointed by his Majesty, to grant Licence for the selling and uttering of Wines by retail to any person or persons, and for any time or term not exceeding one and twenty years, if such person and persons shall so long live; and for

Rent reserved but no Fine to be taken.

such yearly rent as they can or shall agree, and think fit, so as no Fine be taken for the same; But that the rent and sums of money agreed upon and reserved, be paid and answered half yearly by equal portions during the whole term.

Licences only to such as personally use the Trade.

And be it further Enacted by the Authority aforesaid, That such Licence shall not be given or granted, but to such who shall personally use the Trade of selling or uttering of Wines by retail, or to the Landlord or owner of the House where the person using such Trade shall sell and utter Wine by retail; nor shall the same be assignable nor in any wise beneficial or extensive to indemnifie any person against the penalties of this present Act, except the first taker.

The King may appoint Officers as he shall think fit.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, to constitute and appoint such and so many other Officers and Ministers, as a Receiver, Register, Clerk, Controller, Messenger, or the like, for the better carrying on of this service, as he and they shall think fit, so as the Salaries and Wages of all such Officers to be appointed, together with the Salary or Wages of his Majesties said Agents, do not exceed six pence in the pound of the Revenue that shall hence arise.

The Revenue to be paid into the Exchequer, and not to be charged with any Gift or Pension.

And be it further Enacted by the Authority aforesaid, That the Rents, Revenues, and sums of money hence arising, except what shall be allowed for the Wages and Salaries of such Officers and Ministers, which is not to exceed six pence out of every pound thereof, shall be duely and constantly paid and answered into his Majesties Receipt of Exchequer, and shall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or pension.

The Agents to return into the Exchequer in Michaelmas and Easter Terms, what Licences they have granted.

And his Majesties said Agents are hereby enjoined and required to return into the Court of Exchequer every Michaelmas and Easter Terms, upon their Oaths (which Oaths the Barons of the Exchequer, or any one of them, are hereby authorized to administer) a Book fairly written, containing a full and true accompt of what Licences have been granted the preceding half year, and what rents and sums of money are thereupon reserved, and have been paid, or are in arrear, together with the securities of the persons so in arrear, to the end due and speedy process may be made out according to the course of the Exchequer, for the recovery of the same.

Provido for the two Universities and their privileges.

Provided alwaies, That this Act, nor any thing therein contained, shall not in any wise be prejudicial to the privilege of the two Universities of the Land, or either of them, nor to the Chancellors or Scholars of the same, or their Successors; but that they may use and enjoy such privileges as heretofore they have lawfully used and enjoyed, any thing herein to the contrary notwithstanding.

Provided also, That this Act, or any thing therein contained, shall not extend or be prejudicial to the Master, Wardens, Freemen and Commonalty of the mystery of Vintners of the City of London, or to any other City or Town Corporate, but that they may use and enjoy such Liberties and privileges as heretofore they have lawfully used and enjoyed, any thing herein contained to the contrary notwithstanding.

Proviso for  
the Society of  
the Vintners  
of London.

Provided also, and be it Enacted by the Authority aforesaid, That this Act or any thing therein contained, shall not in any wise extend to debar or hinder the Mayor and Burgesses of the Burrough of Saint Albans in the County of Hertford, or their Successors, from enjoying, using and exercising of all such Liberties, Powers and Authorities to them heretofore granted by several Letters Patents under the Great Seal of England, by Queen Elizabeth and King James of famous memories, for the erecting, appointing, and licensing of three several Wine-Taberns within the Burrough aforesaid, for and towards the maintenance of the Free-school there; but that the same Liberties, Powers and Authorities shall be, and are hereby established and confirmed, and shall remain and continue in and to the said Mayor and Burgesses, and their Successors, to and for the charitable use aforesaid, and according to the tenor of the Letters Patents aforesaid, as though this Act had never been made, any thing herein contained to the contrary in any wise notwithstanding.

Proviso for the  
Burrough of  
St. Albans.

Provided also, That it shall not, nor may be lawful to or for any Officer or Officers to be appointed by His Majesty for the carrying on of this service, to take, demand, or receive any Fees, Rewards, or sums of money whatsoever, for or in respect of this Service, other then five shillings for a Licence, four pence for an Acquittance, and six pence for a Bond, under the penalty of Ten pounds, one moiety thereof to the Kings Majesty, the other moiety to the person or persons who shall sue for the same, by Action of Debt, Bill, Complaint, or Information, wherein no wager of Law, Essoign, or Protection shall be allowed, any thing herein, or any other matter or thing to the contrary notwithstanding.

Fees of the  
Officers.

And it is hereby further Enacted by the Authority aforesaid, That no Merchant, Vintner, Wine-Cooper or other person, selling or retailing any wine, shall mingle or utter any Spanish wine, mingled with any French wine, or Rhenish wine, Sider, Perry, Honey, Sugar, Syrups of Sugar, Molasses, or any other Syrups whatsoever, nor put in any Glass, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liquor nor Ingredients, nor any Clary, or other Herb, nor any sort of Flesh whatsoever; And that no Merchant, Vintner, Wine-Cooper, or other person selling or retailing any Wine, shall mingle or utter any French wines mingled with any Rhenish wines or Spanish wines, Sider, Perry, Stummed wine, Utricol, Honey, Sugar, Syrop of Sugar, Molasses, or any Syrups whatsoever, nor put in any Glass, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liquor or Ingredients, nor any Clary or other Herb, nor any sort of Flesh whatsoever; And that no Merchant, Vintner, Wine-Cooper or other person selling or retailing any Wine, shall mingle or utter any Rhenish wine mingled with any French wines, or Spanish wines, Sider, Perry, Stummed wine, Utricol, Honey, Sugar, Syrups of Sugar, Molasses, or any other Syrups whatsoever, nor put in any Glass, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liquor or Ingredients, nor any Clary or other Herb, nor any sort of Flesh whatsoever; And that all and every person or persons committing any of the offences aforesaid, shall incur the pains and penalties herein after mentioned: That is to say, Every Merchant, Wine-Cooper, or other person selling any sort of Wines in gross, mingled or abused as aforesaid, shall forfeit and lose for every such offence, One hundred pounds; And that every Vintner or other person selling any sorts of Wine by retail, mingled or abused as aforesaid, shall forfeit and lose for every such offence, the sum of

There shall be  
no mixture of  
other Wines  
or things.

The penalties  
of mingling or  
abusing any  
Wines.

Forty



Forty pounds; of which forfeitures, one moiety shall go unto the Kings Majesty, His Heirs and Successors, the other moiety to the Informer, to be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Essoign, Protection, or wager of Law shall be allowed.

The Prices of Wine.

Provided alwaies, and be it Enacted, That from and after the first day of September, One thousand six hundred sixty and one, no Canarie wines, Muskie or Alegant, or other Spanish or sweet Wines, shall be sold or uttered by any person or persons within His Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail, for above Eighteen pence the Quart: And that no Gascoigne or French Wines whatsoever, shall be sold by retail, above Eight pence the Quart; And that no Rhenish wines whatsoever shall be sold, by retail, above Twelve pence the Quart;

The Penalties.

(And according to these Rates, for a greater and lesser quantity, all and every the said Wines shall and may be sold) upon pain and penalty that every such person or persons who shall utter or sell any of the said Wines by retail, that is to say, by Pint, Quart, Pottle, or Gallon, or any other greater or lesser retail-measure, at any rate exceeding the rates hereby limited, do and shall forfeit for every such Pint, Quart, Pottle, Gallon, or other greater or lesser quantity so sold by retail, the sum of Five pounds; the one moiety of which forfeiture shall be to our Sovereign Lord the King, His Heirs and Successors, and the other moiety to him or them that shall sue for the same, to be recovered in manner and form as aforesaid.

The Lord Chancellor, &c. may set the Prices of Wines yearly, or alter the same.

Provided nevertheless, That it shall and may be lawful to and for the Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them; And they are hereby authorized yearly and every year between the twentieth of November, and the last day of December, and no other times, to set the Prices of all and every the said Wines to be sold by retail as aforesaid, at higher or lower Rates then are herein contained, so that they or any of them cause the Prices by them set to be written, and open Proclamation thereof to be made in the Kings Court of Chancery yearly in the Term time, or else in the City, Burrough, or Towns Corporate where any such Wine shall be sold; And that all and every the said Wines shall and may be sold by retail at such Prices as by them, or any five, four, or three of them shall be set as aforesaid, from time to time, for the space of one whole year, to commence from the first day of February next after the setting thereof, and no longer, and no greater Prices under the pains and penalties aforesaid, to be recovered as aforesaid, and afterwards: And in default of such setting of Prices by the said Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them, as aforesaid, at the respective Rates and Prices set by this Act, and under the penalties as aforesaid, to be recovered as aforesaid. Stat. 13. Car. 2. cap. 6. & 15. Car. 2. cap. 14.

#### C A P. XXVI.

An Act for the levying of the Arrears of the twelve Moneths Assessment commencing the 24th. of June, 1659. and the Six Moneths Assessment commencing the 25th of December, 1659. E X P. Stat. 13. Car. 2. cap. 6.

#### C A P. XXVII.

An Act for Four hundred and twenty thousand pounds, by an Assessment of Threescore and ten thousand pounds by the Moneth, granted for Six Moneths, for Disbanding the remainder of the Army, and paying off the Navy. E X P. Stat. 13. Car. 2. cap. 6.

C A P.

## CAP. XXVIII.

An Act for further supplying and explaining certain defects in an Act, intituled, An Act for the provision of money for disbanding and paying off the Forces of this Kingdom, both by Land and Sea. EXP. Stat. 13. Car. 2. cap. 6.

## CAP. XXIX.

An Act for the raising of Seventy thousand pounds for the further supply of his Majesty. EXP. Stat. 13. Car. 2. cap. 11.

## CAP. XXX.

An Act for the Attainder of several persons guilty of the horrid Murther of his late Sacred Majesty King *Charles* the first.

**I**n all humble manner shew unto Your most Excellent Majesty, Your Majesties most dutiful and loyal Subjects, the Lords and Commons in Parliament assembled, That the Horrid and Creecrable Murther of Your Majesties Royal Father, our late most Gracious Sovereign *Charles* the first, of ever blessed and glorious memory, hath been committed by a party of wretched men, desperately wicked, and hardened in their impiety, who having first plotted and contrived the ruine and destruction of this excellent Monarchy, and with it of the true Reformed Protestant Religion which had been so long protected by it, and flourished under it, found it necessary in order to the carrying on of their pernicious and traiterous designs, to throw down all the Bulwarks and Fences of Law, and to subvert the very being and constitution of Parliament, that so they might at last make their way open for any further attempts upon the Sacred person of his Majesty himself; And that for the more easie effecting thereof, they did first seduce some part of the then Army into a compliance, and then kept the rest in subjection to them, partly for hopes of preferment, and chiefly for fear of losing their employments and arrears; until by these, and other more odious arts and devices, they had fully strengthened themselves, both in power and faction; which being done, they did declare against all manner of Treaties with the person of the King, even then while a Treaty by advice of both Houses of Parliament was in being, Remonstrate against the Houses of Parliament for such proceedings, seize upon His Royal person while the Commissioners were returned to the House of Parliament with his Answer; and when his Concessions had been Voted a ground for peace, seize upon the House of Commons, seclude and imprison some Members, force out others, and there being left but a small remnant of their own Creatures (not a tenth part of the whole) did seek to shelter themselves by this weak pretence, under the name and authority of a Parliament, and in that name laboured to prosecute what was yet behind and unfinished of their long intended Treason and Conspiracy; To this purpose they prepared an Ordinance for erecting a prodigious and unheard of Tribunal, which they called An High Court of Justice, for tryal of his Majesty; and having easily procured it to pass in their House of Commons, as it then stood moulded, ventured to send it up from thence to the Peers then sitting, who totally rejected it; whereupon their rage and fury increasing, they presume to pass it alone, as an Act of the Commons, and in the name of the Commons of England; and having gained the pretence of Law, made by a power of their own making; pursue it with all possible force and cruelty, until at last, upon the thirtieth day of January, One thousand six hundred forty and eight, His Sacred Majesty was brought unto a Scaffold, and there publicly murdered before the Gates of his own Royal Palace; And because by this horrid action the Protestant Religion hath received the greatest wound and reproach, and the people of England the most insupportable shame & infamy that was possible for the enemies of God and the King to bring upon us, whilst the Fanatick Rage of a few Miscreants (who were as far from being true Protestants, as they were from being true Subjects) stands imputed by our Adversaries to the whole Nation: We therefore your

The horrid murder of *K. Charles* the first, how first contrived and plotted.



A yearly Anniversary of Humiliation on the 30th of Jan. for ever.

The Attainder of the persons actively instrumental in the Murder of his late Majesty.

The names of the persons tried and legally attained.

The 10 persons executed.

The persons fled.

Majesties said dutiful & loyal Subjects, the Lords and Commons in Parliament assembled, do hereby renounce, abominate, and protest against that Impious Fact, the execrable Murder, and most unparallel'd Treason committed against the Sacred person and life of our said late Sovereign, Your Majesties most Royal Father, and all proceedings tending thereunto: And do beseech Your most Excellent Majesty, that it may be declared, That by the undoubted and Fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together in Parliament, nor the people collectively or representatively, nor any other persons whatsoever ever had, have, hath, or ought to have any Coercive power over the persons of the Kings of this Realm; And for the better vindication of our selves to posterity, and as a lasting Monument of our otherwise inexpressable detestation and abhorrency of this villanous and abominable Fact, We do further beseech Your most Excellent Majesty, that it may be Enacted, and be it hereby Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That every thirtieth day of January, unless it falls out to be upon the Lords day, and then the next day following, shall be for ever hereafter set apart to be kept and observed in all the Churches and Chappels of these Your Majesties Kingdoms of England and Ireland, Dominion of Wales, and Town of Berwick upon Tweed, and the Isles of Jersey and Guernsey, and all other Your Majesties Dominions, as an Anniversary day of fasting & Humiliation, to implore the mercy of God, that neither the guilt of that Sacred & Innocent Blood, nor those other sins by which God was provoked to deliver up both us and our King into the hands of cruel and unreasonable men, may at any time hereafter be visited upon us or our posterity. And whereas Oliver Cromwell deceased, Henry Ireton deceased, John Bradshaw deceased, and Thomas Pride deceased, John Lisle, William Say, Sir Hardress Waller, Valentine Wauton, Thomas Harrison, Edward Whalley, William Heveningham, Isaac Penington, Henry Martin, John Barkstead, Gilbert Millington, Edmond Ludlow, Sir Michael Levesey, Robert Tichbourn, Owen Row, Robert Lilbourn, Adrian Scroop, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmond Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Augustine Garland, John Dixwell, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Daniel Blagrove, Thomas Wayte, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hugh Peters, Francis Hacker, Daniel Axtel, are notoriously known to have been wicked and active Instruments in the prosecution and compassing that traitterous Murder of his late Majesty, for which the said Sir Hardress Waller, Thomas Harrison, William Heveningham, Isaac Penington, Henry Martin, Gilbert Millington, Robert Tichbourn, Owen Row, Robert Lilbourn, Adrian Scroop, John Carew, John Jones, Henry Smith, Gregory Clement, Edmond Harvy, Thomas Scot, John Downs, Vincent Potter, Augustine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, John Cook, William Hewlet, Hugh Peters, Francis Hacker, and Daniel Axtel, have already received their tryal at Law, and by Verdict, or their own Confession, have been convicted, and by Judgment of Law thereupon had, do now stand duly and legally attained; of whom, ten persons, that is to say, Thomas Harrison, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, John Cook, Hugh Peters, Francis Hacker, and Daniel Axtel, have most deservedly suffered the pains of death, and been executed according to Law; and the said John Lisle, William Say, Valentine Wauton, Edward Whalley, John Barkstead, Edmond Ludlow, Sir Michael Levesey, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Challoner, Miles Corbet, William Cawley, Nicholas Love, John Dixwell, Daniel Blagrove, Andrew Broughton, and Edward Dendy, are fled from Justice, not daring to abide a Legal Tryal: May it therefore please Your Majesty that it may be Enacted, And be it Enacted by the Authority of this present Parliament, That the said Oliver Cromwell deceased, Henry Ireton

Ireton deceased, John Bradshaw deceased, and Thomas Pride deceased, shall by virtue of this Act, be adjudged to be convicted and attainted of High Treason, to all intents and purposes, as if they, and every of them respectively, had been attainted in their lives: And also that John Lisle, William Say, Valentine Wauton, Edward Whalley, John Barkstead, Edmond Ludlow, Sir Michael Livesey, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Daniel Blagrove, Andrew Broughton, Edward Dendy, and every of them, stand and be adjudged, and by Authority of this present Act convicted and attainted of High Treason; And that all and every the Manors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities, and all other the Hereditaments, Leases for years, Chattels real, and other things of that nature, whatsoever they be, of them the said Oliver Cromwell, Henry Ireton, John Bradshaw, Thomas Pride, John Lisle, William Say, Valentine Wauton, Edward Whally, John Barkstead, Edmond Ludlow, Sir Michael Livesey, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Daniel Blagrove, Andrew Broughton, Edward Dendy, Thomas Harrison, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardress Waller, William Heveningham, Isaac Penington, Henry Martin, Gilbert Millington, Robert Tichbourn, Owen Row, Robert Lilburn, Henry Smith, Edmond Harvy, John Downs, Vincent Potter, Augustine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Waite, which they, or any of them, or any other person or persons, to their or any of their uses, or in trust for them, or any of them, had the five and twentieth day of March, in the year of our Lord, One thousand six hundred forty and six, or at any time since, shall stand and be forfeited unto Your Majesty, Your Heirs and Successors, and shall be deemed, vested, and adjudged to be in the actual and real possession of Your Majesty, without any Office or Inquisition thereof hereafter to be taken or found: And also, That all and every the Goods, Debts, and other the Chattels personal whatsoever, of them, the said Oliver Cromwell, Henry Ireton, John Bradshaw, Thomas Pride, whereof at the time of their respective deaths, they, or any of them, or any other in trust for them, or any of them, stood possessed in Law or Equity; and all the Goods, Debts, and other the Chattels personal whatsoever of them the said John Lisle, William Say, Valentine Wauton, Edward Whalley, John Barkstead, Edmond Ludlow, Sir Michael Livesey, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Andrew Broughton, Edward Dendy, Thomas Harrison, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardress Waller, William Heveningham, Isaac Penington, Henry Martin, Gilbert Millington, Robert Tichbourn, Owen Row, Robert Lilburn, Henry Smith, Edmond Harvy, John Downs, Vincent Potter, Augustine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, whereof upon the Eleventh day of February, One thousand six hundred fifty nine, they or any of them, or any other in trust for them, or any of them, stood possessed either in Law or Equity, shall be deemed and adjudged to be forfeited unto, and are hereby vested, and put into the actual and real possession of Your Majesty, without any further Office or Inquisition thereof hereafter to be taken or found.

The Persons  
dead before  
they could be  
brought to  
trial attainted.

The persons  
fled attainted.

Their Lands,  
Tenements,  
&c. forfeited  
and vested in  
his Majesty.

Whereof they  
were seized, or  
any for them  
25. March,  
1646.

All their  
Goods and  
personal Estate  
forfeited and  
vested in his  
Majesty.

Whereof they  
were possessed  
or any for them  
11. Febr. 1659.

Provided alwaies, and be it Enacted by the Authority aforesaid, That no Conveyance, Assurance, Grant, Bargain, Sale, Charge, Lease, Assignment of Lease, Grants and Surrenders by Copy of Court-Roll, Estate, Interest, Trust, or limitation of any Use or Uses of or out of any Manors, Lands, Tenements, or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen, or Prince, or of any Arch-bishops, Bishops, Deans, Deans and Chapters,

Proviso for  
conveyances  
by any of the  
Offenders.



Statutes, Judgments, &c. before the 9th of Sept. 1659.

For money bona fide lent, &c. Conveyances in trust made before the 25. of April 1660. to any the said Offenders.

Such Conveyances to be enrolled in the Court of Exchequer before the first of January 1662.

Proviso for the Marques of Worcester, &c.

Saving.

Chapters, nor being Lands or Hereditaments sold or given for the Delinquency, or pretended Delinquency of any person or persons whatsoever, by vertue or pretext of any Act, Order, Ordinance, or reputed Act, Order, or Ordinance since the First day of January, One thousand six hundred forty and one, nor any Statute, Judgment or Recognizance, had, made, acknowledged, or suffered to any person or persons, Bodies Politick or Corporate, before the twenty ninth day of September, One thousand six hundred fifty nine, by any of the Offenders before in this Act mentioned, or their Heirs, or by any other person or persons claiming by, from, or under them or any of them, other then the wife or wives, child or children, heir or heirs of such person or persons, or any of them, for money bona fide, to them or any of them paid or lent, nor any conveyance, assurance, grant, or estate made before the twenty fifth of April, One thousand six hundred and sixty, by any person or persons to any of the Offenders aforesaid in Trust; And for the benefit of any other person or persons not being any of the Offenders aforesaid, or in trust for any Bodies Politick or Corporate, shall be impeached, defeated, made void or frustrated hereby, or by any of the Convictions and Attainders aforesaid; but that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assigns, Cestuy que usu, Cestuy que trust, and every of them, their Heirs, Executors, Administrators and Assigns respectively, as if this Act had not been made, and as if the said Offenders had not been by this Act, or by any other course or proceeding of Law, convicted or attainted; so as the said Conveyances, and all and every the Grants and Assurances which by vertue of this Act, are, and ought to be held and enjoyed as aforesaid, shall before the First of January, which shall be in the year of our Lord, One thousand six hundred sixty and two, be entered and enrolled of Record in His Majesties Court of Exchequer, and not otherwise; Any thing in this Act herein before contained to the contrary in any wise notwithstanding.

Provided alwaies, and be it Enacted by the Authority aforesaid, That all and singular the Manors, Lands, Tenements and Hereditaments, which at any time heretofore were the Lands and Possessions of Henry late Marques of Worcester, and Edward now Marques of Worcester, and Henry Lord Herbert, Son and Heir apparent of the said Edward Marques of Worcester, or any of them; whereof or wherein the said Oliver Cromwel, or any other person or persons in trust for him, or to his use, or any other the persons attainted by this Act, or otherwise, or any person or persons in trust for them, or any of them, had or claimed, or pretended to have any Estate, Right, Title, Possession or Interest, at any time before or since the decease of the said Oliver Cromwel, shall be, and hereby are vested and settled in, and shall be held and enjoyed by the said Marques of Worcester, and the said Henry Lord Herbert, in such manner and form, and for such Estate and Estates, with such Powers and privileges as they formerly had in the same respectively; Any thing in this present Act contained, or any Act, Conveyance or Assurance heretofore made or acknowledged by the said Edward Marques of Worcester, and Henry Lord Herbert, or either of them, unto the said Oliver Cromwel, or any other person or persons, in trust for, or to the use of the said Oliver Cromwel, or any Act or Conveyance made or done by the said Oliver Cromwel, or by any in trust for him, to any person whatsoever, to the contrary notwithstanding. Saving alwaies to all and every person and persons, Bodies Politick and others, their respective Heirs, Successors, Executors and Administrators, all such Right, Title and Interest in Law and Equity, which they or any of them have or ought to have, of, into, or out of any the Premises, not being in trust for any the said Offenders, nor derived by, from or under the said Offenders, since the twenty fifth day of March, which was in the year of our Lord, One thousand six hundred forty six; And that they the said person and persons, Bodies Politick, and other their respective Heirs, Successors, Executors and Administrators, and every of them, in all and every such case where his and their Entry was lawful, upon such Offender or Offenders, or the Heirs or Assigns of such Offender or Offenders, in or upon the said twenty fifth day

day of March, One thousand six hundred forty and six, or at any time since, may without Petition, Monstrans de droyt, Ouster le maine, or other Suit to His Majesty, enter on the Premises in His Majesties Possession, or in the possession of His Successors and Patentees, their Heirs or Assigns, in such manner to all intents, as he or they might have done on the possession of the said Offenders, their Heirs or Assigns, in or upon the said twenty fifth day of March, or at any time since; any thing in this Act to the contrary in any wise notwithstanding.

Provided also, That all and every person and persons which have received any of the Rents or mean profits, of, in, or out of any the Lands, Tenements, Hereditaments, Chattels real, or Possessions of any of the Offender or Offenders in this Act mentioned, before the Eleventh day of February, One thousand six hundred fifty and nine, and have paid or accounted for the same before the Eleventh day of February, One thousand six hundred fifty and nine, unto the said Offender or Offenders, or their Assigns, or to any claiming from or under them, shall be clearly and for ever acquitted and discharged of and from the same, against the Kings Majesty, His Heirs and Successors, any thing herein contained to the contrary notwithstanding.

Proviso for such as have received and paid their Rents to the Offenders.

Provided alwaies, That it shall and may be lawful to and for Richard Ingolsby to retain and keep, or otherwise to sell and dispose all and singular the Goods and Chattels formerly belonging to Sir Hardres Waller, in the Kingdom of Ireland, until two thousand pounds, for which the said Richard Ingolsby in the year One thousand six hundred fifty eight, stood joyntly bound with the said Sir Hardres Waller, unto James Brooks of the City of York, Alderman, and was then counter-secured by a Judgment upon his Lands, and since by a Deed of Bargain and Sale of the said Goods and Chattels in Ireland, be fully paid, together with the Interest thereof; he the said Richard Ingolsby accounting for, and paying the full overplus thereof, if any shall be, unto our Sovereign Lord the King; any thing herein before contained to the contrary notwithstanding. Stat. 13. Car. 2. cap. 6.

Proviso for Richard Ingolsby.

## CAP. XXXI.

An Act for Confirmation of Leases and Grants for Colledges and Hospitals.

**V**Whereas since the beginning of the late Troubles, divers Masters, Provosts, Presidents, Wardens, Governors, Rectors, Principals, and other Heads, Fellows, and Scholars of Colledges, Halls, or Houses of Learning, in either of the Universities of Oxford and Cambridge, and the Dean, Canons and prebends of the Cathedral or Collegiat Church or Colledge of Christ-Church in the University of Oxford, and Provost, Warden, or other Head-Officer, and Fellows or Scholars of the Colledges of Eaton and Winchester, and Masters and Governors, Brethren, Brothers and Sisters of divers Hospitals have been amoved, ejected or sequestred by the Lords and Commons assembled in Parliament, or by certain Visitors by them appointed, or by some Conventions sitting at Westminster under the name or stile of a Parliament, or by some Authority or pretence of Authority derived from them or the late pretended and usurped powers, stiled Keepers of the Liberty of England by authority of Parliament, or Protectors of the Common-wealth of England, Scotland, and Ireland, and the Dominion or Dominions and Territories thereunto belonging. And whereas also after these Amotions, Ejections or Sequestrations, several other persons have been either by election of the said Colledges, Halls, Houses of Learning, Church or Hospitals, or by some of the Powers or pretended Powers above mentioned, placed and substituted in these Masterships, Headships, Fellowships, Deanary, Canonries, Prebendaries, Governorships and other Places aforesaid, who have actually exercised the same places

Preamble.



Election of  
Officers of  
Colledges and  
Hospitals con-  
firmed.

places and been de facto Masters, Provosts, Presidents, Wardens, Governours, Rectors, Principals, and other Heads, Fellows, Scholars, Brethren, Brothers and Sisters, Dean, Canons or Prebends of such respective Colledges, Halls, Houses of Learning, Hospitals, Cathedral Church or places, and have made divers Grants by Cope of Court Roll, and Leases and Licences to let or assign Grants and Presentations to, and Elections of divers persons, Re-entries for non-payment of Rent or breach of Conditions, whereupon divers Questions may in time to come arise. For prevention whereof, It is Enacted by the Kings most Excellent Majesty, with the Advice and assent of the Lords and Commons in Parliament assembled, and by Authority of the same, That all Grants by Cope of Court Roll, and Leases and Licences of letting and Assigning Grants and Presentations; And all Elections of Heads, Masters, Fellows, Scholars, Students, and Officers of the said Colledges, Halls, Church, and Houses of Learning and Hospitals aforesaid, into dead or other places then or since Vacant, Receipts, and Acquittances of Rents incurred, Entries for forfeitures or Conditions broken, had made or given since the five and twentieth day of March in the year of our Lord, One thousand six hundred forty two, and before the five and twentieth day of July in the year of our Lord, One thousand six hundred and sixty, by any such Masters, Provosts, Presidents, Wardens, Governours, Rectors, Principals and other Heads de facto of the said Colledges, Halls, and Houses of Learning, and Fellows, and Scholars de facto of the same respectively in either of the said Universities, or Dean and Canons or Prebends de facto of Christ Church aforesaid, or Master, Provost or Warden and Fellows de facto of the Colledges of Eaton or Winchester, or by such Master, Warden, or Governours de facto, or Master, Warden or Governours, Brethren, Brothers or Sisters, de facto of any Hospital, by whatsoever particular name or stile of Foundation the said Colledges, Church, Hospitals, Masters, Governours, Fellows, Deans and Canons, or Prebends are styled, founded, known, or incorporated, and all Leases granted by the Master, Warden, Brethren, Brothers or Sisters of any Hospital of the Patronage of any Bishop, Dean, or Dean and Chapter, and all surrenders to them made to inable such Leases, Grants, and Presentations, shall stand and be of the same and no other force and effect, as if the said Masters, Provosts, Presidents, Wardens, Governours, Rectors, Principals, Heads, Fellows, Dean, Canons, prebends, Brethren, Brothers or Sisters had been such de jure, and duly and de jure Intituled in and to the said Colledges, Halls, Houses of Learning, Church, Hospitals, Offices or places respectively, And if such Leases granted by the Master and Brethren of any Hospital of the patronage of any Bishop, Dean or Chapter had been confirmed by the said Bishop, Dean or Chapter, And that notwithstanding such defect in the said Lessors or Grantors, and notwithstanding the restitution of any of the persons so ejected, the Rents, Covenants, and Conditions contained in such Leases and Grants shall go in succession, as if such Lessors or Grantors had been de jure Masters, Provosts, Presidents, Wardens, Governours, Rectors, Principals, Heads, Fellows, Scholars, Dean, Canons, Prebends, Brethren, Brothers and Sisters of such Colledges, Halls, Houses of Learning, Church, Hospitals and places respectively; Any former Law, Custom, or Statute to the contrary notwithstanding.

Northampton  
Hospital Leases.

Provided alwaies, and be it Enacted, That nothing in this Act contained do or shall extend to the confirming or making good of any Lease or Leases of any parcel or parcels of Lands, Tenements, Pastures, Houses, Orchards, Gardens or Barns, or any of the possessions of or belonging to the Hospital of Saint John Baptist and the Evangelist in the Town of Northampton, made between the first day of September in the year of our Lord, One thousand six hundred fifty and five, and the five and twentieth day of July in the year of our Lord, One thousand six hundred fifty and eight, by the pretended Master George Goodman and his Co-brethren of the aforesaid Hospital, by colour of any pretended

tended Grant or Patent whatsoever, or notwithstanding the Seal of the said Hospital or Corporation was to them or any of them set or affixed.

Provided alwaies, That this Act, or any thing therein contained, shall not extend to make good in Law or Equity any Lease or Leases made by Simon Moore Clerk, late Master or pretended Master of the Hospital of Saint Oswald in the County of Worcester, of any the Lands, Tenements, and Hereditaments, of or belonging to the said Hospital, to Richard Moore son of the said Simon Moore, or to any of the children or grand-children of the said Simon Moore, or to any other person or persons in trust or for the use or uses of the said Simon Moore, or his Wife, Children, or Grandchildren, or any or either of them.

*Oswald Hospital Leases.*

Provided alwaies, That no person or persons shall be confirmed in any Mastership, Provostship, Headship, Fellowship, or Chaplains place in any Colledge or Hall in either of the Universities of Oxford or Cambridge, or in the Colledges of Eaton and Winchester, that is not ordained Minister by Bishops or Presbyters (or being ordained, hath since renounced his Ordination) where by the local Statutes of the said respective Colledges or Halls Ordination is required.

*Not to extend to confirm Officers of Colledges not ordained where Ordination is requisite.*

Provided alwaies, and be it Enacted, That this Act shall not extend to confirm any Lease or Leases of the Rectories and Parsonages of Randall and Littlecoats in the County of Lincolne, which have long since been in the tenure or occupation of John Lord Culpeper, as by several Leases under the Seal of the Master and Fellows of the Colledge of the holy and undivided Trinity within the Town and University of Cambridge of King Henry the Eighth's Foundation may appear, and are now Leased over the head of the said John Lord Culpeper the antient Tenant, to one John West, though according to usage he claimed to renew his Lease three years before the expiration thereof at the usual Fines or more. But that the said John Lord Culpeper, his Executors or Administrators, reimbursing the said new Tenant or Lessees so much money as hath been really paid to the said Colledge for the Fine for such Lease, they shall be admitted to renew the said Lease for the said Fine.

*Lord Culpeper's Tenant right excepted.*

Provided alwaies, That whereas Doctor Owen late reputed Dean, and the Chapter of the Cathedral Church of Christ in Oxon of the Foundation of King Henry the Eighth, by their Indenture dated the seventh day of August, in the year of our Lord, One thousand six hundred fifty seven, did Lease and demise unto John Arthur Clerk, Thomas Bromefield of London Esquire, and Laurence March of Darking in the County of Surrey Esquires, certain Tythes and Lands parcel of the Hamor and Parsonage of Kirkham in the County of Lancaster, And by several other Indentures did Lease and demise unto several other persons many other parts and portions of the said Parsonage of Kirkham (which had long been in the tenure or occupation of Thomas Clifton Esquire and his Ancestors, by several successive Leases under the Abbot and Covent of Vale Royal, and the Colledge of Christ-Church aforesaid respectively) for several terms of years yet unexpired:

*Leases of Kirkham Rectory.*

Be it Enacted and ordained, That Thomas Clifton now of Latham in the County of Lancaster Esquire, his Executors and Administrators (paying the several and respective Rents reserved unto the said Colledge, and securing unto the said John Arthur, Thomas Bromefield, and Laurence March, or the Survivors or Survivor of them, or the Executors or Executor of the Survivor of them, for the uses in the said Lease expressed and not otherwise, out of the Premises, the yearly sum of four hundred pounds, to be paid half yearly by equal portions, for the term of eleven years next ensuing, And reimbursing unto the said several other Lessees respectively or their respective Assigns so much money as was by them respectively and truly paid for their respective Fines) shall have and enjoy the said several demised premises for the residue of the several terms of years yet to come, as if the said several Leases made unto them the said John Arthur, Thomas Bromefield,

*Thomas Clifton Esquire.*

and



and Laurence March, and unto the said several other persons as aforesaid, had been legally made unto the said Thomas Clifton by a lawful Dean and Chapter; This Act or any other thing to the contrary notwithstanding.

Colledge Officers relieved in nothing but in want of Ordination.

Provided alwaies, That this Act or any thing therein contained, shall not extend to confirm the Election of any Head, Fellow, Scholar, or Chaplain of any Colledge or Hall in either of the Universities, that upon any other ground besides the want of Episcopal Ordination, is or was not capable of being elected into such place or places by the Statutes of the said Colledge or Hall, into which he or they were chosen.

Presentees by Patent rights saved.

Provided also, That this Act, or any thing therein contained, shall not extend to prejudice the Title of any person or persons, who by Letters Patents under the great Seal since the first day of May, and before the twenty Arth of August One thousand six hundred and sixty, have obtained from his Majesty any Grant of any Deanery, Headship of any House, Rectorship of any Colledge, Canons place, Prebendary, Fellowship, or Scholarship within either of the Universities, or the Colledges of Eaton, Westminster, or Winchester; But that all and every the said Grants and Letters Patents shall be of such, and no other force and effect, as the same should have been if this Act had not been made; Any thing in this Act contained to the contrary notwithstanding.

Leases by John Tombes excepted.

Provided also, That this Act, or any thing therein contained, shall not extend to confirm any Lease or Estate made by John Tombes Clerk, of any Lands, Tenements, or Hereditaments, belonging to the Hospital of Saint Katherines in Ledbury in the County of Hereford, to any of the Children of him the said John Tombes, or to any other person or persons in Trust for him or them, or any of them.

And Leases by the late Master of the Rolls.

Provided alwaies, and be it Enacted by the Authority aforesaid, That neither this Act, nor any thing therein contained, shall in any wise extend to confirm, or make good, any Lease or Leases made by William Lenthal, pretended Warden of the House of Converts, belonging to the Master of the Rolls, since the thirtieth day of January, One thousand six hundred forty and two, of any Houses or Tenements thereto belonging, to the prejudice of John Lord Culpeper, his Successors, Lessees, or Assigns, the said Lord Culpeper paying or reimbursing unto the said Lessee, or Lessees of such Houses or Tenements, such moneys as they or any of them have paid, with Interest for the same, he or they discounting for the mean profits thereof.

Masterhip of the Savoy.

Provided alwaies, That neither this Act, nor any thing therein contained, shall extend to confirm William Hook in the Masterhip of the Kings Majesties Hospital of the Savoy, nor to confirm or make good any Lease of any Lands or Tenements belonging to the said Hospital, made between the thirtieth day of January, in the year of our Lord, One thousand six hundred forty eight, and the first day of June, One thousand six hundred and sixty; The Master of the said Hospital for the time being, allowing and reimbursing to all such Lessees all such sum or sums of money, as they or any of them paid to the then Master of the said Hospital by way of Fine, at the time of such Lease making, and Interest for the same, And the said Lessees, and every of them discounting for the mean profits of the same.

Marquess of Worcester's right excepted.

Provided alwaies, and be it Enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not extend to confirm or make good any Lease or Grant made, or mentioned to be made to any person or persons by John Owen late Dean, & others, Canons, or pretended Dean and Canons of the Colledge of Christ Church in the University of Oxford, or by any of them, of any the Rectories, Tythes, or Gleab Lands of Hampton, Wickenford, Badsey, Aldington, Uffenham, South-Littleton, North Littleton, and Middle-Littleton, in the County of Worcester, heretofore the possessions of Henry late Marquess of Worcester, and Dame Anne his Wife, or either of them, and whereof the said Henry was dispossessed for his Allegiance, and Loyalty to his late Majesty of blessed Memory; But that the Executor or Administrator of the said Henry, shall and may

may be admitted to renew the Leases of the said Tythes, for such term or terms, as the said Dean and Chapter of Christ Church are by Law enabled to grant the same, the said Executors or Administrators satisfying and reimbursing to such person or persons, all such sum or sums of money, as he or they have paid for the said Lease or Leases, by way of Fine, with Interest for the same, the said person or persons discounting to the said Executors or Administrators, for the mean Profits received thereupon.

Provided also, That this Act, or any thing therein contained, shall not extend to confirm or make good any Lease, Leases, or Estate made by any pretended Dean and Chapter, Master or Head of any Colledge or Hall in either of the Universities, or of any pretended Master or Governors of any Hospital, which said Lease, Leases or Estate had not been good or effectual in Law, had they been made by a Lawful Dean and Chapter, Master, Head or Governor of any Colledge, Hall or Hospital aforesaid; This Act, or any thing herein contained to the contrary notwithstanding.

*Leases if not good had they been made by legal Lessors excepted,*

Provided also that this Act, or any thing therein contained, shall not extend to confirm or make good any Lease or Leases of the Rectory or Parsonage of Arrington in the County of Cambridge, which hath long been in the tenure and occupation of Thomas Chicheley Esq; and his Ancestors, by several successive Leases from the Master and Fellows of Trinity Colledge in Cambridge; Nor shall confirm or make good any Lease or Leases of the Rectory or Parsonage of Soham in the said County of Cambridge, which hath likewise been, and still is in the occupation and possession of the said Thomas Chicheley, by Lease from the Master and Fellows of Pembroke Hall in Cambridge, but that the said Thomas Chicheley (paying and reimbursing the several and respective Tenants or Lessees, the several and respective sums of money by them severally and respectively paid to the said Colledge and Hall, for or in the name of any Fine, or Fines, for the making or granting such new Lease or Leases, with Interest; discounting such Rents and Profits as by them respectively have been taken or received out of the Premises) shall be restored to his said antient Possessions. And the said Colledge and Hall respectively shall be enabled to lease the said several Rectories and Parsonages, with their respective Appurtenances, unto the said Thomas Chicheley; This Act, or any thing herein contained to the contrary thereof in any wise notwithstanding.

*Leases of the Rectory of Arrington and Soham. Thomas Chicheley.*

Provided alwaies, That neither this Act, nor any thing therein contained, shall extend to restore any person or persons to any Headship, Fellowship, or Scholarship of any Colledge or Hall, or to any Chaplains or Clerks-place, in any Colledge or Hall, in either of the Universities, or to any Lecture or Readers place, that is or shall be before the first day of January, One thousand six hundred and sixty, ejected out of their respective Headship, Fellowship, Scholarship, Chaplain or Clerks-place, or out of any Lecture in the said Universities, by his Majesties Commissioners under the Great Seal, for not having been legally and according to their several Statutes of the said respective several places nominated, elected or admitted in or to the same; Any thing in this Act contained to the contrary notwithstanding.

*Those elected illegally excepted.*

## C A P. XXXII.

An Act for prohibiting the Exportation of Wooll, Woolfells, Fullers Earth, or any kind of Scouring Earth.

For the better preventing and avoiding of such Losses and Inconveniences as have hapned, and do and may happen to the Kingdom of England, and Dominion of Wales, and to the Kingdom of Ireland, by and through the secret and subtle exportation and transportation, and by and through the subtle carrying and conveying away of Wool, Woolfells, Worlings, Shorlings, Parn made



of Wool, Wool-flocks, Fullers earth, Fulling Clay, out, of, and from the Kingdoms and Dominion aforesaid, and for the better setting on work the poor people and inhabitants of the Kingdoms and Dominion aforesaid; And to the intent that the full and best use and benefit of the principal native Commodities of the same Kingdoms and Dominion may come, redound, and be unto and amongst the Subjects and Inhabitants of the same, and not unto or amongst the Subjects and Inhabitants of the Realm of Scotland, or of any Foreign Realms or States, as the same now of late in some great measure hath done, and is further likely to do, if some severer punishment than heretofore be not speedily inflicted upon such Offenders as shall be Actors or Assistants in and to such exportation and transportation and in and to such carrying and conveying thereof, as aforesaid;

No person after the 14 of Jan. 1660, shall export any Sheep, or Wool, Wool-fells, Mortlings, Shorlings, Yarn, Wool-flocks, Fullers Earth, Fulling Clay,

Nor carry, load, or board any Sheep, Wool, &c.

No Wool, Wool-fells, &c. after the 14 of Jan. 1660, to be carried into Wales, Ireland, &c.

Except.

The Penalties.

Be it Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That no person or persons whatsoever, from and after the fourteenth day of January One thousand six hundred and sixty, shall directly or indirectly, export, transport, carry or convey, or cause or procure to be exported, transported, carried or conveyed, out of, or from the Kingdom of England, or Dominion of Wales, or Town of Berwick upon Tweed, or out of, or from the Isles of Jersey or Guernsey, with Sarke and Alderney, being under the Government of Guernsey, aforesaid, or out of, or from any of them, or out of, or from the Kingdom of Ireland, aforesaid, into any parts or places out of the Kingdoms, Isles, or Dominion aforesaid, any Sheep or Wool whatsoever, of the breed or growth of the Kingdoms of England, or Ireland, or Isles, or Dominion aforesaid; or any Wool-fells, Mortlings, or Shorlings, or any Yarn made of Wool, or any Wool-flocks, or any Fullers Earth, or any Fulling Clay whatsoever; nor shall directly or indirectly pack or load, or cause to be packed or loaded upon any Horse, Cart, or other Carriage, or Load, or lay on board, or cause to be laden or laid on board in any ship or other vessel, in any place or Port within the Kingdoms of England or Ireland, or Town of Berwick, Isles, or Dominion aforesaid, any such sheep, wool, Wool-fells, Mortlings, Shorlings, Yarn made of wool, or Wool-flocks, or any Fullers Earth, or Fulling Clay, to the intent or purpose to export, transport, carry or convey the same, or to cause the same to be exported, transported, carried or conveyed out of the Kingdoms of England and Ireland, Town of Berwick, Isles, or Dominion aforesaid, or with intent or purpose, that any other person or persons should so export, transport, carry or convey the same into any parts or places out of the Kingdoms of England and Ireland, Town of Berwick, Isles, or Dominion aforesaid, into the Kingdom of Scotland, or any foreign parts.

And be it further Enacted by the Authority aforesaid, That no wool, Wool-fells, Mortlings, Shorlings, Yarn made of wool, wool-flocks, or any Fullers earth, or Fulling clay, shall be from and after the fourteenth day of January, in the year of our Lord, One thousand six hundred and sixty, exported, transported, carried or conveyed out of the Kingdom of England and Dominion of Wales, or Town of Berwick, or Kingdom of Ireland, or out of any Port or place of the said Kingdoms respectively unto the Isles of Jersey or Guernsey, or to Sarke, or Alderney, except as in this Act shall be hereafter limited or appointed.

And be it further enacted by the authority aforesaid, That all and every the Offender and Offenders, offence and offences aforesaid, shall be subject and liable to the respective pains, penalties, & forfeitures hereafter following, That is to say, The said sheep, wools, wool-fells, Mortlings, Shorlings, Yarn made of wool, wool-flocks, Fullers earth, and fulling clay, so exported, transported, carried, conveyed, packed or laden contrary to the true intent of this Act, shall be forfeited, and that every offender and offenders therein shall forfeit twenty shillings for every such sheep, and three shillings for every pound weight of such wool, wool-fells, Mortlings, Shorlings, Yarn made of wool, wool-flocks, Fullers earth, or Fulling Clay; And also the owners of the said Ships or Vessels knowing such offence, shall forfeit all their Interest in the said Ships or Vessels, with all their Apparel and Furniture to them and every of them belonging: And that the Ma-

ster

ster and Mariners thereof, knowing such offence, and wittingly and willingly aiding and assisting thereunto, shall forfeit all their Goods and Chattels, and have imprisonment for the space of three moneths without Bail or Mainprize; the one moiety of which said penalties and forfeitures shall be to the Kings Majesty, His Heirs and Successors; and the other moiety to him that will sue for the same by Action of Debt, Bill, Plaint, or Information in any of His Majesties Courts of Record, or before the Justices of Assize, or in the General Quarter Sessions of the Peace: In which Suit no Essoign, Protection or wager of Law shall be allowed.

And be it further Enacted, That if any Merchant or other person or persons shall after the said fourteenth day of January transport or cause to be transported any Sheep, Wool, Wool-fells, Mortlings, Shorlings, Wollen-yarn, Wool-flocks, Fullers earth or Fulling Clay, contrary to the true intent of this Act, and be thereof lawfully convicted, That then he shall be disabled to require any debt or accompt of any Factor or others for or concerning any Debt or Estate properly belonging to such offender. Provided alwaies, and it is nevertheless declared, That this Act, or any thing therein contained, shall not be construed to take away any greater pains or penalties inflicted or to be inflicted for any the offences aforesaid, by vertue of any former Act of Parliament now in force.

The penalty upon any merchant that shall transport wools, &c.

Proviso.

And be it also further enacted by the authority aforesaid, that every offence that shall be done or committed contrary to this Act, shall and may be inquired of and heard, examined, tried and determined in the County where such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers earth or Fulling Clay respectively shall be so packed, loaden, or laid aboard as aforesaid, contrary to this Act, or else in the County where such offenders shall happen to be apprehended, or arrested for such offence, in such manner and form, and to such effect to all intents and purposes as if the same offence had been wholly and altogether done and committed at and in such County.

Offences against this Act where to be tried.

Provided alwaies, and be it Enacted by the Authority aforesaid, That no person or persons whatsoever shall at any time hereafter be impeached for any offence aforesaid, unless such person or persons shall be prosecuted within the space of one year next ensuing such offence committed.

They to be prosecuted within a year after the offence committed.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for any person or persons to seize, take and challenge to his or their own use and behoof, and to the use of the King, His Heirs and Successors, all and all manner such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers earth, and Fulling Clay, as he or they shall happen to see, find, know or discover to be laid aboard in any Ship or other Vessel or Boat, or to be brought, carried or laid on shore, at or near the Sea or any Navigable River or Water, to the intent or purpose to be exported, transported, or conveyed out of the Kingdoms of England, or Ireland, Town of Berwick, Isles, or Dominion aforesaid, contrary to the true meaning of this Act, or to be packed or loaden upon any Horse, Cart, or other Carriage, to the intent or purpose to be conveyed or carried into the Kingdom of Scotland, aforesaid; and that such person or persons as shall happen so to seize, take, or challenge any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers Earth or Fulling Clay, as aforesaid, shall have the full moiety thereof, to all intents and purposes.

Any person may seize goods contrary to this Act, loaded with intent to be transported, and shall have the moiety thereof.

Provided alwaies, That such person or persons as shall make any such Seizure or challenge aforesaid to his or their own use, shall not be admitted or allowed to give in Evidence upon his or their Oath or Oaths against any person or persons which shall happen to be indicted, accused, or questioned by vertue of this Act, or any thing therein contained.

Proviso, such person shall not be evidence against the offender.

And furthermore be it enacted by the authority aforesaid, That all & every Ship, Vessel, Bulk, Barge or Boat, of what kind soever, whereof any Alien born, or whereof any natural born Subjects not inhabiting within the Realm of England shall be owner or part-owner, and wherein any Sheep, wool, wool-fells, mortlings,

Forfeiture of the ship if the owner be an Alien or not inhabiting in England.



Shorlings, Varn made of Wool, Wool-flocks, Fullers Earth, or Fulling Clay shall happen to be shipped, put or laid aboard, contrary to the true meaning of this Act, shall be forfeited to the Kings Majesty his Heirs and Successors.

Provided alwaies, That this Act shall not extend to any Lamb Skin ready dyed, and prepared fit and useful for Furr or Linings.

Proviso.

Provided also, That this Act shall not in any wise extend to the transporting, carrying or conveying away of any such Wool-fells or Pelts, with such Wool upon them, or to any Beds stuffed with Flocks, which shall be carried or employed in any Ship or other vessel for necessary use only, of and about the Ordnance or other thing in or concerning such Ship or Vessel, or only for the necessary use of any the Persons in such Ship or Vessel passing or being, and which shall not be sold or uttered in any forreign parts, out of the Kingdoms of England or Ireland, or Town of Berwick, Isles, or Dominion aforesaid; nor to the exporting, transporting, carrying or conveying of any Wether-sheep, or of the Wool growing upon any such Wether-sheep, to be carried alive in any Ship or other Vessel, for and towards the only necessary food or diet, of or for the Company or passengers, or other persons therein, and for and towards none other purpose.

Ireland.  
Berwick.

Proviso.

Provided alwaies, and be it further Enacted, That this Act, or any thing therein contained, shall not extend to any such wool to be exported or transported out of or from the Port of Southampton, only unto the aforesaid Isles of Jersey and Guernsey, by, or for the only use or behoof of any the Inhabitants of the said Isles of Jersey and Guernsey, or either of them, or to any such wool to be shipped or laden aboard in any ship or other vessel, by, or for the only use or behoof of any the Inhabitants of the said Isles of Jersey or Guernsey, or either of them, in the Port aforesaid, to be exported and transported into the said Isles of Jersey or Guernsey, or either of them; so as such person and persons that shall so ship or lay aboard such wool into any ship or other vessel, do before the shipping or laying aboard such wool, deliver unto the Customier, Comptroller, surveyor or searcher of the Port of Southampton aforesaid (out of which the same wool is to be exported) a writing under the Seal or Seals of the respective Governours of the same Isles of Jersey and Guernsey, unto which the said wool is to be transported, or of his or their Deputy or Deputies respectively, the which writing shall purport and express that the party named in such writing is authorized and appointed to export or to cause to be exported out of the Port aforesaid so much wool, expressing the number of the Tods, to the same Isle, to be used or manufactured in one of the same Isles, or in some of the members or parts of the same, and that such party so authorized and appointed to export or cause to be exported that wool, hath before the making and sealing of that writing, entered sufficient Bond to his Majesties use for the landing of the said wool in that Isle. And to the intent that the quantity of wool to be exported out of the Port of Southampton aforesaid into the said Isles, or either of them, in any one year, accompting the year to begin from the first day of January next ensuing, and so yearly from the first day of January, may not exceed the quantity here under specified; that is to say, unto the Isle of Jersey Two thousand Tods and no more of unkeamed wool, and unto Guernsey one thousand Tods and no more of unkeamed wool, and unto Alderney two hundred Tods and no more of unkeamed wool, and unto Sarke one hundred Tods of unkeamed wool and no more, every Tod not exceeding thirty two pounds.

Alderney.  
Sarke.

And be it Enacted by the authority aforesaid, That the Governour of the said Isle of Jersey or his Deputy, for whom he will answer, shall not make to any person or persons any writing or writings such as is above specified, to authorize or appoint such person or persons as aforesaid, to fetch, export or transport out of the Port of Southampton aforesaid unto the said Isle of Jersey, in one year, accompting the year from the first day of January, One thousand six hundred and sixty aforesaid, any greater quantity of wool then two thousand Tods in one year; and that the Governour of the said Isle of Guernsey, or his Deputy for whom he will answer, shall not make to any person or persons any writing or writings, such as is above specified, to authorize and appoint such person or persons as aforesaid, to fetch, export,

export, or transport out of the Port above specified unto the said Isles of Guernsey, with Alderney and Sarke, in any one year, accompting the year from the first day of January aforesaid, any greater quantitie of Wool then one thousand Tods for Guernsey, Two hundred Tods for Alderney, and One hundred Tods for Sarke, in any one year; and that the Customer of the Port of Southampton aforesaid, shall keep a true accompt of all the said quantity of Wools so by him permitted to be loaden by vertue of this Act, and shall not permit any greater quantity of Wools to be loaden then by this Act is prescribed, in any one year, to either of the said Islands respectively, under any pretence whatsoever, upon the penalty of the forfeiture of his place, and the sum of One hundred pounds in money, one moiety whereof to the Kings Majestie, his Heirs and Successors, and the other moiety to him or them that will sue for the same in any Court of Record, wherein no Essoign, protection, or wager of Law shall be allowed. And if any of the Governours aforesaid, or any their or either of their Deputy or Deputies of the said Isles, or either of them, shall give, grant, or make any Licence or Licences for exporting from Southampton aforesaid, into the said Isles respectively, of any greater quantity of such Wool, then is befoze by the true meaning of this Act limited and appointed in that behalf; That then the respective Governour or Governours of such of the said Isles shall forfeit and pay to the Kings Majestie, his Heirs or Successors, the sum of Twenty pounds of lawful money of England, for every Tod of Wool which shall be so licensed to be exported, over and above the rate or proportion of Wool in and by this Act, or the true meaning thereof, limited or appointed.

And be it further Enacted by the Authority aforesaid, That the respective Governours aforesaid, or their respective Deputies, or any their Clerks, Officers, or Servants, for the granting, making, or sealing of every such writing of Licence as is aforesaid, and for the entring a Remembrance of the same into some Book, which they shall have and keep for that purpose, may have and take the sum of twelve pence, and no more, upon pain of forfeiting to the party grieved the sum of five shillings for every penny which shall be taken over and above the said sum of twelve pence, in and by this Act allowed to be taken, and so after that proportion; the said penalty or forfeiture for the taking above twelve pence as aforesaid, to be recovered by Bill, Plaint, or Information, in any Court of Record at Westminster, or elsewhere, wherein no Injunction, Protection, Priviledge, Essoyne or Wager of Law shall be admitted or allowed. Stat. 13. Car. 2: cap. 13.

## C A P. XXXIIL

An Act for Confirmation of Marriages.

**V**ercas by vertue and colour of certain Ordinances, or certain pretended Acts or Ordinances, divers marriages since the beginning of the late troubles have been had and solemnized in some other manner then hath been formerly used and accustomed: Now for the preventing and avoiding of all doubts and questions touching the same, It is Enacted by the Kings most Excellent Majestie, with the advice and consent of the Lords and Commons in Parliament assembled, and by Authority of the same, That all marriages had or Solemnized in any of his Majesties Dominions since the first day of May, in the year of our Lord, One thousand six hundred forty and two, before any Justice of Peace, or reputed Justice of Peace, of England or Wales, or other his Majesties Dominions, and by such Justice or reputed Justice, so pronounced or declared; And all marriages within any of his Majesties Dominions, since the same first day of May, in the year of our Lord, One thousand six hundred forty two, had or Solemnized according to the direction or true intent of any Act or Ordinance, or reputed Act or Ordinance, of one or both

Marriages  
since the first  
of May, 1642,  
confirmed.

Houses



Houses of Parliament, or of any Convention sitting at Westminster, under the Name, Stile, or Title of a Parliament, or assuming that Name, Stile or Title, shall be, and shall be adjudged, esteemed, and taken to be, and to have been of the same and no other force and effect, as if such marriages had been had and solemnized according to the Rites and Ceremonies established, or used in the Church or Kingdom of England, any Law, Custom, or Usage to the contrary thereof notwithstanding.

And be it further Enacted, that where in any Suit commenced or to be commenced in any of the Courts of common Law, any issue hath been joyned, and not already tryed or determined, or shall be joyned upon the point of Bastardy, or lawfulness of marriage, for or concerning the marriages had and solemnized, as aforesaid, the same Issues shall be tryed by Jury of Twelve Men according to the course of Trial of other Issues tryable by Jury at the common Law, and not otherwise, any Law, Statute, or Usage to the contrary thereof, in any wise notwithstanding. Stat. 13. Car. 2. cap. 10.

Issues upon lawfulness of marriages already joyned, shall be tryed by Jury. Bastardy.

## CAP. XXXIV.

An Act for Prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland.

**Y**our Majesties Loyal and Obedient Subjects, The Lords and Commons in this present Parliament assembled considering of how great concerne and importance it is, That the Colonies and Plantations of this Kingdom in America, be defended, protected, maintained, and kept up, and that all due and possible encouragement be given unto them; and that not only in regard great and considerable Dominions, and Countries, have been thereby gained, and added to the imperial Crown of this Realm; But for that the strength and welfare of this Kingdom do very much depend upon them, in regard of the employment of a very considerable part of its Shipping and Seamen, and of the vent of very great quantities of its Native Commodities and Manufactures, as also of its supply with several Commodities which it was wont formerly to have only from Forraigners, and at far dearer Rates: And forasmuch as Tobacco is one of the main products of several of those Plantations, and upon which their Welfare, and Subsistence, and the Navigation of this Kingdom, and vent of its Commodities thither, do much depend; and in regard it is found by experience, that the Tobaccos planted in these parts are not so good, and whollom for the takers thereof; And that by the planting thereof Your Majestie is deprived of a considerable part of Your Revenue arising by Customs upon Imported Tobacco; Do most humbly pray that it may be Enacted by your Majesty: And it is hereby Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled; and by the Authority of the same, that no person or persons whatsoever shall, or do from and after the first day of January, in the year of our Lord, One thousand six hundred and sixty, set, plant, improve to grow, make or cure any Tobacco either in Seed, Plant, or otherwise, in or upon any ground, earth, field, or place within the Kingdom of England, Dominion of Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, or in the Kingdom of Ireland, under the penalty of the forfeiture of all such Tobacco, or the value thereof, or of the sum of forty shillings for every Rod or Pole of Ground so Planted, Set, or Sown as aforesaid; and so proportionably for a greater or lesser quantity of Ground, one moiety thereof to his Majesty, his Heirs and Successors: And the other moiety to him or them that shall sue for the same, to be recovered by Bill, Plaint, or Information in any Court of Record, wherein no Essoigne, Protection, or wager in Law shall be allowed.

And it is hereby further Enacted, that all Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables, and every of them, upon Information or Complaint

Importance of the Plantations of America.

No person after the first of January 1660. shall set or plant any Tobacco.

The Penalty.

plaint made unto them, or any of them, by any of the Officers of the Customs, or by any other person or persons whatsoever, that there is any Tobacco Set, Sown, Planted, or growing within their Jurisdictions, or Precincts, contrary to this Act, shall within ten dayes after such Information or Complaint, cause to be burnt, plucked up, consumed, or utterly destroyed, all such Tobacco to Set, Sown, Planted or Growing.

All Sheriffs and other Officers may destroy any Tobacco planted contrary to this Act.

And it is hereby further Enacted, that in case any person or persons shall resist, or make forcible Opposition against any person or persons in the due and thorough Execution of this Act, that every such person or persons, for every such Offence, shall forfeit the sum of five pounds to be divided and recovered in manner aforesaid. And in case any person or persons shall not pay the sums of money by them to be paid, by vertue of this Act, that in every such case, Distress shall be made and Sale thereof, returning the Over-plus to the Owners; And in case no Distress be to be found, that then every such person shall be committed to the common Goal in the County where such Offence shall be committed, there to remain for the space of two moneths, without bail or mainprize.

The penalty of any person resisting this Act.

Provided alwaies, and it is hereby Enacted, that this Act, nor any thing therein contained, shall extend to the hindring of the planting of Tobacco in any Physick Garden of either University, or in any other private Garden for Physick or Chirurgery, only so as the quantity so planted exceed not one half of one Pole in any one place or Garden. Stat. 13. Car. 2. cap. 13. & 15. Car. 2. cap. 7.

Proviso, for private Gardens.

## C A P. XXXV.

An Act for Erecting and Establishing a Post-Office.

**V**hereas for the maintenance of mutual Correspondencies, and prevention of many Inconveniencies happening by private Posts, several publick Post-Offices have been heretofore erected for carrying, and recarrying of Letters by posts, to, and from all parts and places within England, Scotland, and Ireland, and several parts beyond the Seas; the well Ordering whereof is a matter of general concernment, and of great advantage, as well for preservation of Trade and Commerce, as otherwise: To the end therefore that the same may be managed so, that speedy and safe dispatches may be had, which is most likely to be effected, by erecting one general post-Office for that purpose;

The well ordering of Postage and Letters of great concernment to Trade.

Be it therefore Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, that there be from henceforth one general Letter-Office erected and established in some convenient place within the City of London, from whence all Letters and packets whatsoever may be with speed and expedition sent unto any part of the Kingdoms of England, Scotland, and Ireland, or any other of His Majesties Dominions, or unto any Kingdom or Country beyond the Seas, at which said Office all Returns and Answers may be likewise received; And that one Master of the said general Letter-Office shall be from time to time appointed by the Kings Majesty, His Heirs and Successors, to be made and constituted by Letters Patents under the Great Seal of England, by the name and Stile of His Majesties Post-Master General; which said Master of the said Office, and his Deputy and Deputies, by him thereunto sufficiently authorized, and his and their Servants, and Agents, and no other person or persons whatsoever, shall from time to time have the receiving, taking up, ordering, dispatching, sending Post or with speed, and delivering of all Letters and Packets whatsoever, which shall from time to time be sent to and from all and every the parts and places of England, Scotland, and Ireland, and other his Majesties Dominions, and to and from all and every the Kingdoms and Coun-

A Letter Office erected in London.

A Master of the Office to be appointed by the King. Post-Master General.



Countries beyond the Seas, where he shall settle or cause to be settled Posts or running Messengers for that purpose. Except such Letters as shall be sent by Coaches, common known Carriers of Goods by Carts, Waggon, or Packhorses, and shall be carried along with their Carts, Waggon, and packhorses respectively; And except Letters of Merchants and Masters which shall be sent by any Masters of any Ships, Barques, or other Vessel of merchandise, or by any other person employed by them for the carriage of such Letters aforesaid, according to the respective directions; And also except Letters to be sent by any private friend or friends in their waies of journey or travel, or by any messenger or messengers sent on purpose, for or concerning the private affairs of any person or persons; And also except Messengers who carry and recarry Commissions or the Return thereof, Affidavits, Writs, process or Proceedings, or the Returns thereof, issuing out of any Court.

The Post-master General and no other, to provide Horses for riding Post.

And be it further Enacted by the Authority aforesaid, That such Post-Master General for the time being, as shall from time to time be made and constituted by His Majesty, His Heirs and Successors, and the respective Deputies, or Substitutes of such Post-Master General, and no other person or persons whatsoever, shall prepare, and provide Horses and Furniture to let to Hire unto all Through-posts, and persons riding in post by Commission, or without, to and from all and every the parts and places of England, Scotland, and Ireland, where any Post-roads are, or shall be settled and established.

Rates for carrying Letters.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for such Post-master General to be constituted and appointed as aforesaid, and his Deputy or Deputies by him thereunto sufficiently authorized, to demand, have, receive and take for the portage and conveyance of all such Letters which he shall so convey, carry, or send post as aforesaid, and for the providing and furnishing of Horses for through-Posts, or persons riding in post as aforesaid, according to the several Rates and Sums of lawful English money hereafter mentioned, not to exceed the same; (that is to say) For the port of every Letter not exceeding one sheet, to or from any place not exceeding fourscore English miles distant from the place where such Letter shall be received, Two pence; And for the like port of every Letter not exceeding two sheets, Four pence; And for the like port of every Pacquet of Letters proportionably unto the said Rates; And for the like port of every pacquet of Writs, Deeds, and other things, after the Rate of Eight pence for every ounce weight; and for the port of every Letter not exceeding one sheet, above the distance of fourscore English miles from the place where the same shall be received, Three pence; and for the like port of a Letter, not exceeding two sheets, Six pence; and proportionably to the same Rates, for the like port of all packets of Letters, and for the like port of every other packet of Writs, Deeds, or other things, after the rate of Twelve pence of English money for every ounce weight; and for the port of every Letter not exceeding one sheet, from London unto the Town of Berwick, and from thence to the City of London, Three pence of English money; And for the like port of every Letter not exceeding two sheets, Six pence; and proportionably unto the same rates, for every packet of Letters, and for every other packet of greater Bulk. One shilling and six pence for every Duncce weight; And for the port of such Letters and Packets as shall be conveyed or carried from the Town of Berwick unto any place or places within forty English miles distance from Berwick, or any other place where such Letter shall be received, Two pence; And for every Letter not exceeding two sheets, Four pence; and proportionably to the same rates for every packet of Letters, and for every other packet or parcel, Eight pence for every Duncce weight; and for every Letter not exceeding One sheet to be conveyed or carried a further distance then Forty English miles, Four pence; And for the like port of every double Letter, Eight pence:

pence : and proportionably unto the same Rates for the like port of every packet of letters, and for the like port of every other packet, One shilling for every Dounce weight; and for the port of every letter not exceeding one sheet from England unto the City of Dublin in Ireland, or from the City of Dublin in Ireland unto England, Six pence of English money; and for the like port of every letter not exceeding two sheets, One shilling, and proportionably to the same rates for every packet of letters, and for the port of every other packet of any kind of greater Bulk, Two shillings for every Dounce weight; and for the port of such letters or packets as shall be conveyed or carried from the City of Dublin, unto any other place or places within the Kingdom of Ireland, or from any other place unto the said City, or to, or from any other place within the said Kingdom, according to the rates and sums of English money hereafter following, viz. For every letter not exceeding one sheet, to or from any place within Forty English miles distance from Dublin, or any other place where such letter shall be received, Two pence; And for every letter not exceeding two sheets, Four pence; and proportionably to the same rates for every packet of letters, and for every other packet of greater bulk, Eight pence for every Dounce weight; and for every letter not exceeding one sheet to be carried or conveyed a further distance then forty English miles, Four pence; and for the like port of every letter not exceeding two sheets, Eight pence; and proportionably unto the same rates for the like port of every packets of Letters, and for the like port of every packets of greater bulk, One shilling for every Dounce weight; and for all and every the letters, packets, and parcels of Goods that shall be carried or conveyed to, or from any of His Majesties said Dominions, to or from any other parts or places beyond the Seas, according to the several and respective rates that now are, and have been taken for letters, packets, and parcels so conveyed, being rated either by the Letter, or by the Dounce weight,

That is to say,

Morlaix, St. Maloes, Caen, Newhaven, & places of like distance, port paid to Roan, is for	d
Single	vi
Double	xii
Treble	xviii
Ounce	xviii

Hamburgh, Collen, Frankfort, port paid to Antwerp, is	d
Single	viii
Double	xvi
Treble	xxiv
Ounce	xxiv

Venice, Geneva, Legorn, Rome, Naples, Messina, & all other parts of Italy, by way of Venice, franc pro Mantua	s d
Single	o---ix
Double	i---vi
Treble	ii---iii
Ounce	ii---viii

Marcelia, Smirna, Constantinople, Aleppo, and all parts of Turkey, port paid to Marcelia	s d
Single	i---o
Double	ii---o
3qrs. of an ounce	ii---ix
Ounce	iii---ix

Genova, Legorn, Rome, and other parts of Italy, by way of Lyons, franc pro Lyons	s d
Single	i---o
Double	ii---o
3qrs. of an ounce	ii---ix
Ounce	iii---ix

And of Letters sent outwards	s d
To Bourdeaux, Rochel, Nantes, Orleans, Byon, Tours, and places of like distance, port paid to Paris	
Single	o---ix
Double	i---vi
Treble	ii---iii
Ounce	ii---o

And for Letters brought from the same places into England	s d
Single	i---o
Double	ii---o
3qrs. of an ounce	iii---o
Ounce	iv---o

Also Letters sent outwards	s d
To Norembourgh, Bremen, Dantswick, Lubeck, Lipswick, & other places of like distance, port paid to Hamburgh	
Single	i---o
Double	ii---o
3qrs. of an ounce	iii---o
Ounce	iv---o

And for Letters brought from the said places to England	s d
Single	o---viii
Double	i---iv
Treble	ii---o
Ounce	ii---o

Paris	s d
Single	o---ix
Double	i---vi
Treble	i---iii
Ounce	i---o

Q

And



[illegible]

### Proviso for Merchants.

provided alwaies, That all Merchants Accounts not exceeding one sheet of paper, and all Bills of Exchange, Invoyses, and Bills of Lading, are, and shall hereby be understood to be allowed without Rate in the price of the Letters, and likewise the Covers of Letters not exceeding one fourth part of a sheet of paper sent to Marseilles, Venice, or Ligorne, to be sent forward to Turkey, shall be understood to be allowed to pass without rate or payment for the same; and according to the same rates and proportions for the port of Letters, packets and parcels to or from any of the parts or places beyond the Seas, where Posts have not been heretofore settled, and may hereafter be settled by the said post-master General for the time being, his Executors or Assigns: And it shall and may be lawful to and for such Post-master General, and his Deputy and Deputies, to ask, demand, take and receive of every person that he or they shall furnish and provide with Horses, Furniture and Guide to ride post in any of the Post-roads as aforesaid, Three pence of English money for each Horses hire or postage for every English mile, and Four pence for the Guide for every Stage. And whereas upon the arrival of Ships from parts beyond the Seas into several Ports within His Majesties Dominions, many Letters directed to several Merchants and others, have been detained long to the great damage of the Merchants, in want of that speedy advice and intelligence which they might have had if the same had been forthwith dispatched by the settled Posts; and sometimes such Letters have been delivered by the Masters or Passengers of such Ships to ignorant and loose hands, that understand not the way and means of speedy conveyance and delivery of Letters, whereby great prejudice hath accrued to the affairs of Merchants and others, as well by the miscarriage of many Letters so brought, as oftentimes by the opening of the same to the discovery of the Correspondencies and secrets of the Merchant.

Be it further Enacted by the Authority aforesaid, That all Letters and Pacquets that by any Master of any Ship or Vessel, or any of his Company, or any Passengers therein, shall or may be brought to any Port-Town within His Majesties Dominions, or any of the Members thereof, other then such Letters as are before excepted, or may be sent by common known Carriers in manner aforesaid, or by a friend as aforesaid; shall by such Master, Passenger, or other person be forthwith delivered unto the Deputy or Deputies only of the said Post-master General for the time being, by him appointed for the said Port-town, and by him or them to be sent post unto the said general Post-Office to be delivered according to the several and respective directions of the same.

And be it further Enacted by the aforesaid Authority, That no person or persons whatsoever, or Body Politick or Corporate, other then such Post-master General as shall from time to time be nominated and appointed by His Majesty, his Heirs or Successors, and constituted by Letters Patents under the great Seal of England as aforesaid, and his Deputy and Deputies, or Assignes, shall presume to carry, recarry, and deliver Letters for Hire, other then as before excepted,

excepted, or to set up or imploy any Foot-post, Horse-post, Coach-post, or Pacquet-Boat whatsoever for the conveyance, carrying, and recarrying of any Letters or Pacquets by Sea or Land within His Majesties Dominions, or shall provide and maintain Horses and Furniture for the horsing of any Thorough-posts, or persons riding in post with a Guide and Horse, as usual for Hire, upon pain of Forfeiting the sum of Five pounds of English money for every several offence against the Tenor of this present Act, And also of the forfeiture of the sum of One hundred pounds of like English money for every weeks time that any Offender against this Act shall imploy, maintain, and continue any such Foot-post, Horse-post, Coach-post or Pacquet-boat as aforesaid: which said several and respective forfeitures, shall, and may be sued for, and recovered by Action or Actions of Debt, Plaint, or Information in any of His Majesties Courts of Record, wherein no Essoigne, priviledge, protection or wager of Law shall be admitted, and the said several and respective forfeitures that shall happen from time to time to be recovered, shall be and remain the one moiety thereof to His Majesty, and His Heirs and Successors, and the other moiety thereof to such person or persons who shall or will inform against the Offender or Offenders against this present Act, and shall or will sue for the said forfeitures upon the same.

Penalties of  
offending a-  
gainst this Act

Proviso where  
any Post-ma-  
ster doth not  
provide.

Provided alwaies, that if any Post-master of any respective place, doth not, or cannot furnish any person or persons riding in post with sufficient Horses within the space of one half hour after demand, that then such person or persons are hereby understood to be left at liberty to provide themselves, as conveniently they can; And the persons who shall furnish such Horses shall not therefore be lyable unto any penalties or forfeitures contained in this Act.

Provided alwaies, That if through default or neglect of the Post-master General aforesaid, any person or persons riding in post shall fail as aforesaid of being furnished with a sufficient Horse or Horses, for his or their use, after demand as aforesaid; That in every such case, the said Post-master General shall forfeit the sum of Five pounds sterling, the one moiety to His Majesty, His Heirs and Successors, and the other moiety to him or them who shall sue for the same in any Court of Record, to be recovered by Bill, Plaint, or other Information, wherein no Essoigne, Protection, or other wager in Law shall be admitted.

Proviso touch-  
ing Post-ma-  
sters that do  
not sufficient-  
ly provide  
Horses, &c.

Provided alwaies, and be it Enacted, That nothing herein contained shall be understood to prohibit the carrying or recarrying of any Letters or Pacquets to or from any Town or place, to or from the next respective Post-road, or Stage appointed for that purpose; But that every person shall have free liberty to send and imploy such persons as they shall think fit, for to carry the said Letters or Pacquets as aforesaid, without any forfeiture or penalty therefore, Any thing contained in this Act to the contrary notwithstanding.

Proviso.

Provided alwaies, That if the Pacquet or Maile shall be carried out of England into any part beyond the Seas in any Ship or Vessel which is not of English built, and Navigated with English Seamen, That in every such case, the said Post-master General shall forfeit the sum of One hundred pounds sterling; the one moiety to his Majesty, his Heirs and Successors, and the other moiety to him or them who shall sue for the same, in any Court of Record, to be recovered by Bill, Plaint, or other Information, wherein no Essoigne, Protection, or other wager in Law shall be allowed.

Proviso a-  
gainst carrying  
any Pacquet  
out of England  
in any foreign  
Vessels.

Provided also, and be it Enacted by the Authority aforesaid, that no person or persons shall be capable of having, using, or exercising the Office of Post-master General, or any other imployment relating to the said Office, unless he or they shall first take the Oaths of Allegiance and Supremacy, before any two Justices of the Peace of the respective Counties wherein such person or persons are or shall be resident, which said Justices are hereby authorized to administer the said Oaths accordingly.

Oaths of Al-  
legiance and  
Supremacy.

And

Provided



Proviso.  
Truro.  
Penryn.  
Kendall.  
Lancaster.  
Carlisle.  
Grimsby.

Post-master to  
continue con-  
stant Posts.

Penalty for e-  
very omission.  
The Post-ma-  
ster, &c. to ob-  
serve such or-  
ders as his  
Majesty shall  
make.

His Majesty  
may grant the  
said Office for  
life or years,  
not exceeding  
21. years.

No Horses to  
be seized with-  
out consent of  
the owners.

Proviso for the  
rates of all  
Inland Letters

Provided also, and be it Enacted by the Authority aforesaid, That a Letter or Pacquet-post shall twice every week come by the way of Truro and Penryn to the Town of Marketiew alias Marhazion in the County of Cornwall; and once a week to Kendal by the way of Lancaster; and to the Town of Penrith in Cumberland by the way of Newcastle and Carlisle; and to the City of Lincoln, and the Burrough of Grimsby in the County of Lincoln, Any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Provided also, and be it Enacted by the Authority aforesaid, That such Post-master General to be from time to time appointed by His Majesty, His Heirs and Successors as aforesaid, shall continue constant Posts for carriage of Letters to all places, though they lye out of the Post-roads, as hath been used for the space of three years last past, at the rates herein before mentioned, under pain of forfeiture for every omission five pounds, to be recovered by Action, Suit, or Complaint, in any His Majesties Courts of Record, the one moiety to the use of His Majesty, the other moiety to the use of the Informer. And for the better management of the said Post-Office, and that the people of these Kingdoms may have their intercourse of Commerce and Trade the better maintained, and their Letters and Advices conveyed, carried, and recarried with the greatest speed, security, and convenience that may be;

Be it further Enacted, That the said Post-Master General so nominated, appointed and constituted as aforesaid, and his Deputies, shall from time to time observe and follow such orders, rules, directions and instructions for and concerning the settlement of convenient Posts and Stages upon the several roads in England, Scotland, and Ireland, and other His Majesties Dominions, and the providing and keeping of a sufficient number of Horses at the said several Stages, as well for the carrying and conveying of the said Letters and Pacquets, as for the horning of all thorough-Posts and persons riding in post by warrant or otherwise as aforesaid, as His Majesty, His Heirs and Successors, shall from time to time in that behalf make, and ordain; And that His Majesty, His Heirs and Successors, may grant the said Office of Post-master General, together with the powers and authorities thereunto belonging, and the several rates of postage above mentioned, and all profits, priviledges, fees, perquisites and emoluments thereunto belonging, or to belong, either for life or term of years, not exceeding one and twenty years, to such person or persons, and under such Covenants, Conditions, and yearly Rents to his said Majesty, His Heirs and Successors, reserved, as His said Majesty, His Heirs and Successors, shall from time to time think fit for the best advantage and benefit of the Kingdom.

Provided alwaies, and be it Enacted by the Authority aforesaid, That no person shall have power to take, use, or seize any Horses for the service mentioned in this Act, without the consent of the owners thereof; And usage or pretence, or any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Provided alwaies, and be it Enacted by the Authority aforesaid, That all Inland Letters sent by any packet post established by this Act as aforesaid, do and shall pay the rates and prices before mentioned, at such Stage where they are last delivered only, unless the party that delivers the Letters desireth to pay elsewhere; Any thing in this Act to the contrary notwithstanding. Provided alwaies, that all Letters, and other things, may be sent or conveyed to or from the two Universities in manner as heretofore hath been used; Any thing herein to the contrary notwithstanding. Stat. 13. Car. 2. cap. 6. & 15. Car. 2. cap. 14.

## CAP. XXXVI.

An Act empowering the Master of the Rolls for the time being, to make Leases for years, in order to new build the old Houses belonging to the Rolls. Pr. St. 13. Car. 2. cap. 6.

Anno



ANNO REGNI  
CAROLI II.  
REGIS

*Angliæ, Scotiæ, Franciæ, & Hiberniæ,*  
DECIMO TERTIO.

At the Parliament begun and holden at *Westminster*, the Eighth day of *May*, *An. Dom.* 1661. In the thirteenth year of the Reign of Our most Gracious Sovereign Lord CHARLES the Second, by the Grace of God, of *England, Scotland, France, and Ireland* King, Defender of the Faith, &c. And there continued until Tuesday the thirtieth of *July*, 1661. and from that day the said *Parliament* was adjourned unto the twentieth of *November* then next following; To the high pleasure of Almighty God, and to the Weal publick of this Realm, were Enacted as followeth.

CAP. I.

An Act for Safety and Preservation of His Majesties Person and Government; against Treasonable and Seditious practices and attempts.



THE Lords and Commons assembled in Parliament deeply weighing and considering the miseries and calamities of well nigh twenty years, before your Majesties happy Return, and withall, reflecting upon the causes and occasions of so great and deplozable confusions, do in all humility and thankfulness acknowledge Your Majesties incomparable Grace and Goodness to Your People, in Your Free and General Pardon, Indempnity and Oblivion, by which Your Majesty hath been pleased to deliver Your Subjects, not only from the Punishment, but also from the Reproach of their former miscarriages, which unexampl'd Piety and Clemency of Your Majesty hath enflamed the hearts of us Your Subjects with an ardent desire to express all possible zeal and duty in the care and preservation of Your Majesties Person (in whose Honour and Happiness consists the good and welfare of Your People) and in preventing (as much as may be) all Treasonable and Seditious Practices and Attempts for the time to come. And because the growth and encrease of the late troubles and disorders, did in a very great measure proceed from a multitude of Seditious

The grounds  
and Induce-  
ments of this  
Act.



Seditious sermons, pamphlets, and speeches.

13 El. cap. 1.

What shall be adjudged treason during the life of the King.

Being declared and proved by two witnesses. Convicted by due course of Law. Offences (during his Majesty's life) which disable persons to bear any office.

Peerage.

St. 17. Car. 1. cap. 7. The Parliament begun 3. of Nov. 1640. not in being. Stat. 13. Car. 2. cap. 1.

tionous Sermons, Pamphlets, and Speeches, daily Preached, Printed, and Published, with a transcendent boldness defaming the Person and Government of Your Majesty and your Royal Father, wherein men were too much encouraged, and (above all) from a wilful mistake of the Supreme and lawful Authority, whilst men were forward to cry up and maintain those Orders and Ordinances, Oaths, and Covenants, to be Acts legal and warrantable, which in themselves had not the least colour of Law or Justice to support them; from which kind of distempers, as the present Age is not yet wholly freed, so Posterity may be apt to relapse into them, if a timely remedy be not provided. We therefore, the Lords and Commons in Parliament assembled, having duly considered the premises, and remembering that in the Thirteenth year of the Reign of Queen Elizabeth of ever blessed memory, a right good and profitable Law was made for preservation of Her Majesties Person, Do most humbly beseech Your most Excellent Majesty, that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by Authority of the same, That if any person or persons whatsoever, after the four and twentieth day of June, in the year of our Lord, One thousand six hundred sixty and one, during the natural life of our most Gracious Sovereign Lord the King (whom Almighty God preserve and bless with a long and prosperous Reign) shall within the Realm, or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim, or wounding, imprisonment, or restraint of the Person of the same our Sovereign Lord the King, or to deprive or depose him from the Title, Honour, or Kingly Name of the Imperial Crown of this Realm, or of any other His Majesties Dominions or Countries, or to levy war against His Majesty within this Realm, or without, or to make, or stir any Foreigner or Strangers with force to invade this Realm, or any other His Majesties Dominions or Countries being under His Majesties Obedience: And such Compassings, Imaginations, Inventions, Devices, or Intentions, or any of them, shall express, utter, or declare, by any Printing, Writing, Preaching, or Malicious and advised speaking, being legally convicted thereof upon the Oaths of two lawful and credible Witnesses, upon tryal, or otherwise convicted or attainted by due course of Law, then every such person or persons so as aforesaid offending, shall be deemed, declared, and adjudged to be Traytors, and shall suffer pains of death, and also lose and forfeit as in cases of High Treason.

And be it further Enacted by the Authority aforesaid, That if any person or persons at any time after the four and twentieth day of June, in the year of our Lord, One thousand six hundred sixty and one, during His Majesties life, shall maliciously and advisedly publish or affirm the King to be an Heretick or a Papist, or that he endeavours to introduce Popery; or shall maliciously and advisedly, by writing, printing, preaching, or other speaking, express, publish, utter, or declare any Words, Sentences, or other thing or things, to incite or stir up the people to hatred or dislike of the Person of His Majesty, or the established Government, then every such person and persons, being thereof legally convicted, shall be disabled to have or enjoy, and is hereby disabled and made incapable of having, holding, enjoying, or exercising any place, Office, or promotion Ecclesiastical, Civil, or Military, or any other Employment in Church or State, other than that of his Peerage, and shall likewise be liable to such further and other punishments as by the Common Laws or Statutes of this Realm may be inflicted in such cases. And to the end that no man hereafter may be misled into any seditious or unquiet demeanour, out of an opinion that the Parliament begun and held at Westminster, upon the third day of November, in the year of our Lord, One thousand six hundred and forty, is yet in being, which is undoubtedly dissolved and determined, and so is hereby declared and adjudged to be fully dissolved and determined; or out of an Opinion that there lies any obligation upon him from any Oath, Covenant, or Engagement whatsoever,

sober, to endeavour a change of Government, either in Church or State; or out of an Opinion, that both Houses of Parliament, or either of them have a Legislative Power without the King: All which assertions have been seditiously maintained in some Pamphlets lately Printed, and are daily promoted by the active enemies of our Peace and Happiness:

No legislative power is either or both houses of Parliament without the King.

Be it therefore further Enacted by the Authority aforesaid, That if any person or persons, at any time after the four and twentieth day of June, in the year of our Lord, One thousand six hundred sixty and one, shall maliciously and advisedly, by Writing, Printing, Preaching, or other speaking, expressing, publicly, utter, declare, or affirm, That the Parliament begun at Westminster upon the third day of November, in the year of our Lord, One thousand six hundred and forty, is not yet dissolved, or is not determined, or that it ought to be in being, or hath yet any continuance or existence, or that there lies any Obligation upon him, or any other person, from any Oath, Covenant, or Engagement whatsoever, to endeavour a change of Government, either in Church or State, or that both Houses of Parliament, or either House of Parliament, have, or hath a Legislative Power without the King, or any other words to the same effect; That then every such person and persons so as aforesaid offending, shall incur the danger and penalty of a Premunire mentioned in a Statute made in the sixteenth year of the Reign of King Richard the Second. And it is hereby also declared, That the Oath usually called, The Solemn League and Covenant, was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the Fundamental Laws and Liberties of this Kingdom, and that all Orders and Ordinances, or pretended Orders and Ordinances, of both or either Houses of Parliament, for imposing of Oaths, Covenants, or Engagements, Levying of Tares, or Raising of Forces and Arms, to which the Royal Assent, either in person or by Commission, was not expressly had or given, were in their first creation and making, and still are, and so shall be taken to be, null and void to all intents and purposes whatsoever. provided nevertheless, That all and every person and persons, Bodies Politick and Corporate, who have been, or shall at any time hereafter be questioned for any thing acted or done by colour of any the Orders or Ordinances herein before mentioned and declared to be null and void, and are Indemnified by an Act, intituled, An Act of Free and General Pardon, Indemnity, and Oblivion, made in the twelfth year of His Majesties Reign that now is, or shall be Indemnified by any Act of Parliament, shall and may make such use of the said Orders and Ordinances for their Indemnity according to the true intent and meaning of the said Act, and no other, as he or they might have done if this Act had not been made, any thing in this Act contained to the contrary notwithstanding.

Premunire:

The solemn League and Covenant unlawful and illegally imposed. Orders and Ordinances of both or either houses of Parliament declared void.

Proviso, the said orders, &c may be made use of according to the Act of Indemnity. St. 12. Car. 2. Cap. 11.

Provided alwaies, That no person be prosecuted for any of the offences in this Act mentioned (other than such as are made and declared to be high Treason) unless it be by Order of the Kings Majesty, His Heirs or Successors, under his or their Sign Manual, or by Order of the Council Table of His Majesty, His Heirs or Successors, directed unto the Attorney General for the time being, or some other of the Council learned to His Majesty, His Heirs or Successors, for the time being; nor shall any person or persons by vertue of this present Act incur any of the penalties herein before mentioned, unless he or they be prosecuted within six moneths next after the Offence committed, and indicted thereupon within three moneths after such prosecution, any thing herein contained to the contrary notwithstanding.

No person to be prosecuted for any offences in this Act (other than treason) unless by special order from his Majesty: And within six moneths after the offence committed.

Provided alwaies, and be it Enacted, That no person or persons shall be indicted, arraigned, condemned, convicted, or attainted for any of the Treasons, or Offences aforesaid, unless the same Offender or Offenders be thereof accused by the Testimony and deposition of two lawful and credible Witnesses upon Oath, which Witnesses at the time of the said Offender or Offenders arraignment, shall be brought in person before him or them face to face, and shall openly

Treasons and offences within this Act to be proved by two witnesses viva voce.

openly



openly avow and maintain upon Oath what they have to say against him or them concerning the Treason or Offences contained in the said Indictment, unless the party or parties arraigned shall willingly without violence confess the same.

Proviso, for  
the privilege  
of debates in  
Parliament.

For repeal or  
alteration of  
Laws, or re-  
dressing pub-  
lick grievan-  
ces.

Proviso, for  
Peerage and  
Peers.

Provided likewise, and be it Enacted, That this Act, or any thing therein contained, shall not extend to deprive either of the Houses of Parliament, or any of their Members, of their just ancient Freedom and privilege of debating any matters or business, which shall be propounded or debated in either of the said Houses, or at any Conferences or Committees of both or either of the said Houses of Parliament, or touching the repeal or alteration of any old, or preparing any new Laws, or the redressing of any publick grievance; but that the said Members of either of the said Houses, and the Assistants of the House of Peers, and every of them, shall have the same freedom of speech, and all other Privileges whatsoever, as they had before the making of this Act; any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided also, and be it Ordained and Enacted, That no Peer of this Realm shall be tried for any offence against this Act, but by his Peers; and further, That every Peer who shall be convicted of any offence against this Act, after such conviction, be disabled during his life to sit in Parliament, unless His Majesty shall graciously be pleased to pardon him. And if His Majesty shall grant his pardon to any Peer of this Realm, or Commoner, convicted of any offence against this Act, after such Pardon granted, the Peer or Commoner so pardoned shall be restored to all intents and purposes, as if he had never been convicted; any thing in this Law to the contrary in any wise notwithstanding.

#### C A P. II.

An Act for Repeal of an Act of Parliament, Entituled, An Act for disabling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority.

**W**hereas at the Parliament begun at Westminster, the third day of November, in the sixteenth year of the Reign of our late Sovereign Lord King Charles of blessed memory, since deceased, an Act of Parliament was made, Entituled, An Act for disabling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority; Which Act hath made several alterations prejudicial to the constitution and antient Rights of Parliament, and contrary to the Laws of this Land, and is by experience found otherwise inconvenient; Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act, Entituled, An Act for disabling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority, and every clause, matter, and thing therein contained, shall be, and is hereby from henceforth repealed, annulled, and made void to all intents and purposes whatsoever.

St. 17. Car. 1.  
c. 27. Rep.

#### C A P. III.

An Act for the declaring, vesting, and setting of all such Moneys, Goods, and other things in His Majesty, which were Received, Levied, or Collected in these Late times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion.

**W**hereas divers Doubts have been made, whether or no the Moneys, Goods, Chattels, and other things excepted to be accounted for in the Act of Free and General Pardon, Indemnity and Oblivion, made and passed in

in the Parliament begun at Westminster the five and twentieth day of April, in the twelfth year of Your Majesties Raign, do belong unto, and of right are in Your Majesty; for that the same were not levied, received, collected, or taken by your Majesties Authority, or to your Majesties use: For remedy, and clearing whereof, We the Lords and Commons assembled in Parliament humbly beseech your Majesty, that it may be Enacted, and be it declared, enacted, and ordained by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons assembled in Parliament, and by the Authority thereof, That all and every sum and sums of Money, Goods, Plate, Jewels, Horses, Arms, Ammunition, and other things whatsoever, levied, received, or taken since the thirtieth of January One thousand six hundred forty two, by any of the late pretended Authorities, or by pretence or colour of any Power or Authority, derived, or pretended to be derived from them, or any of them, for any publick use, which are not pardoned by the said Act, which are not otherwise vested and settled in the Kings Majesty, and all Bonds, Obligations, and other Securities entered into for the same, or any part thereof, be, and are hereby vested and settled in the Kings Majesty, His Heirs and Successors; and that His Sacred Majesty, His Heirs or Successors, may from time to time, and at all times hereafter have, demand, sue for, and recover the same of all, and every person and persons, their Heirs, Executors, and Administrators, who are accountable for the same, or in whose hands or possession forever the same were, or are, as if the same had been levied, received, collected, or taken in His Majesties Name by Authority from His Majesty, or to His Majesties use, any Law, or Statute, Usage, or Custome to the contrary in any wise notwithstanding.

Goods and moneys levied since the 30. of Jan. 1642 and not pardoned, are vested in his Majesty.

Sta. 12. Car. 2. cap. 11.

And be it further Enacted by the Authority aforesaid, That all and every person or persons which have received any the aforesaid sum or sums of money from any Treasurer or Receiver for any publick use, by way of Imprest, to be accounted for, which are not pardoned or discharged by the aforesaid Act, shall be liable to account, and called to account in such manner and form, as if they had received the same out of his Majesties Exchequer, or any other publick Treasury; and particularly those persons that have received or collected the Revenues of any Churches, or Vicarages in Wales, or in the County of Monmouth, since the year of our Lord, One thousand six hundred forty eight: Provided, they have all due allowances in their accounts, as all such persons whose accounts are excepted in the Act of Oblivion, have, or ought to have.

The revenues of the Churches in Wales.

And to the end His Majesty may be the better enabled to discover, and sue for all such Moneys, Goods, and other things invested in His Majesty by this Act, it is further ordained and enacted by the Authority aforesaid, That His Majesty, His Heirs and Successors, shall and may from time to time issue forth such, and so many Commissions, to such, and so many persons, as his Majesty shall think fit, either under the great Seal of England, or the Seal of his Majesties Exchequer, for the better discovering, levying, receiving, and discharging the same.

Commissions for discovery.

And be it further Enacted by the Authority aforesaid, That all persons accountable to his Majesty by this Act, shall have full power and authority, and are hereby enabled to sue for, Levy, and recover from the parties from whom the same was, and is due, and for which they are hereby accountable, all sums of Money and Arrears, in such manner and form as they might have recovered and levied the same when they first grew due; Provided, this Act, or any thing therein contained, shall not extend to call any person to account, or to question any person for Goods or other things remaining in his hands which shall not be called to account, or some Information against him, either in the Exchequer, or Commissioners to be appointed as aforesaid, before the four and twentieth of June, which shall be in the year of our Lord, One thousand six hundred sixty two; and that the said Information be prosecuted with effect within twelve months after the Exhibition thereof.

Persons accountable enabled to sue for and levy all arrears.

Provido, none to be questioned but upon some prosecution begun before the 24. of June, 1662.



## C A P. IV.

An Act for a free and voluntary Present to His Majesty.

## C A P. V.

An Act against Tumults, and Disorders, upon pretence of preparing or presenting publick Petitions, or other Addresses, to His Majesty, or the Parliament.

Tumultuous and disorderly preparing petitions a great occasion of the late wars and calamities.

**V**hereas it hath been found by sad experience, that Tumultuous, and other Disorderly soliciting, and procuring of Hands by private persons to Petitions, Complaints, Remonstrances, and Declarations, and other Addresses to the King, or to both, or either Houses of Parliament, for alteration of matters established by Law, redress of pretended grievances in Church or State, or other publick Concernments, have been made use of to serve the ends of Faction and Seditious persons gotten into power, to the violation of the publick Peace, and have been a great means of the late unhappy Wars, Confusions, and Calamities in this Nation; for preventing the like mischief for the future;

No person after the 1. Aug. 1661. shall sollicite or procure any petition, &c. for altering any established law in Church or State.

Be it Enacted by the Kings most Excellent Majesty, by and with the consent of the Lords and Commons assembled in Parliament, and by the Authority of the same, That no person or persons whatsoever, shall from and after the first of August, One thousand six hundred sixty and one, Sollicite, Labour, or procure the getting of Hands, or other consent of any persons above the number of twenty, or more, to any Petition, Complaint, Remonstrance, Declaration, or other Address to the King, or both, or either Houses of Parliament, for alteration of matters established by Law in Church or State, unless the matter thereof have been first consented unto, and Ordered by three or more Justices of the County, or by the Major part of the Grand Jury of the County, or division of the County where the same matter shall arise at their publick Assizes, or General Quarter Sessions, or if arising in London, by the Lord Mayor, Aldermen, and Commons in Common Council assembled; And that no person or persons whatsoever shall repair to His Majesty, or both, or either of the Houses of Parliament, upon pretence of presenting, or delivering any Petition, Complaint, Remonstrance, or Declaration, or other Addresses accompanied with excessive number of people, nor at any one time with above the number of ten persons, upon pain of incurring a penalty, not exceeding the sum of One hundred pounds in money, and three moneths Imprisonment without Bail or Mainprize for every offence, which offence to be prosecuted at the Court of Kings Bench, or at the Assizes, or General Quarter Sessions within six moneths after the offence committed, and proved by two or more credible witnesses.

Proviso.

Provided alwaies, That this Act, or any thing therein contained, shall not be construed to extend, to debar or hinder any person or persons, not exceeding the number of Ten aforesaid, to present any publick or private Grievance or Complaint to any Member or Members of Parliament after this Election, and during the continuance of the Parliament, or to the Kings Majesty, for any remedy to be thereupon had; nor to extend to any Address whatsoever to His Majesty, by all or any the Members of both or either Houses of Parliament, during the sitting of Parliament, but that they may enjoy their freedom of Access to His Majesty, as heretofore hath been used.

C A P.

## CAP. VI.

An Act declaring the sole Right of the Militia to be in the King ; and for the present Ordering and Disposing the same.

**F**Orasmuch as within all His Majesties Realms and Dominions, the sole Supream Government, Command, and Disposition of the Militia, and of all Forces by Sea and Land, and of all Forts and Places of strength, is, and by the Laws of England ever was the undoubted Right of His Majesty, and His Royal Predecessors, Kings and Queens of England ; and that both, or either of the Houses of Parliament cannot, nor ought to pretend to the same ; nor can, nor lawfully may raise, or levy any War Offensive or Defensive against His Majesty, His Heirs or lawful Successors ; and yet the contrary thereof hath of late years been practised almost to the Ruine and Destruction of this Kingdom ; and during the late Usurped Governments, many evil and Rebelious Principles have been distilled into the minds of the People of this Kingdom, which unless prevented, may break forth to the disturbance of the Peace and Quiet thereof.

The command of the Militia by sea and land, the undoubted right of his Majesty.

And whereas an Act is under consideration for exercising the Militia, with most safety and ease to the King and His People, which Act cannot as yet be perfect ; Be it therefore Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords and Commons assembled in Parliament, That the Militia and Land forces of this Kingdom, and of the Dominion of Wales, and Town of Berwick upon Tweed, now under the power of Lieutenants or their Deputies, shall be exercised, ordered, and managed untill the five and twentieth day of March next ensuing, in such manner as the same now is actually exercised, ordered, and managed, according to such Commissions and Instructions as they formerly have, or from time to time shall receive from His Majesty.

An Act under consideration touching the Militia.

And whereas since the twenty fourth of June, One thousand six hundred and sixty, there have been Insurrections, by occasion whereof divers of His Majesties good Subjects have been murdered ; and for the securing the Peace of the Nation, and preventing further disorders, divers persons suspected to be Fanatics, Sectaries, or Disturbers of the Peace, have been Assaulted, Arrested, Detained, or Imprisoned, and divers Arms have been seized, and Houses searched for Arms, or suspected persons ; Be it therefore further Enacted by the Authority aforesaid, That all and every person and persons, who have or shall have acted, or done any thing in execution of any Commission or Commissions of Lieutenancy, issued by the Kings Majesty that now is, or by colour of them, or any of them, touching or concerning the same, or any of them, or relating thereunto, shall be, and are hereby saved harmless and indemnified in this behalf : And also all Magistrates, Justices of the Peace, Officers and Ministers of Justice, and all persons that have or shall have acted by or under them, or by their or any of their Commands, since the said twenty fourth day of June, One thousand six hundred and sixty, until the twentieth day of July, One thousand six hundred sixty and one, as to any assaulting, arresting, detaining, or imprisoning any person suspected to be Fanatick, Sectary, or Disturber of the Peace, or seizing of Arms, or searching of Houses for Arms, or for suspected persons, shall be, and are hereby saved harmless, and indemnified in that behalf.

Persons who have acted by Commission of Lieutenancy.

By the Stat. 15. Car. 1. cap. 4. this clause extends back to Feb. 1659.

Provided, That neither this Act, nor any thing therein contained, shall after the five and twentieth of March next, be prejudicial to any County, City, or place within this Kingdom, which are overcharged with Men and Arms beyond their Ancient proportion.

Provido.

Provided, That neither this Act, nor any matter or thing therein contained, shall be deemed, construed, or taken to extend to the giving or declaring of any Power for the transporting of any the Subjects of this Realm, or any way compel.



compelling them to march out of this Kingdom, otherwise then by the Laws of England ought to be done.

No person may be Lieutenant or Deputy Lieutenant that hath not taken the Oaths of Allegiance and Supremacy.

Provided, That no person whatsoever shall be capable of acting as Lieutenant, or Deputy-Lieutenant, or other Officer or Souldier, by vertue of this Act, who hath not already taken the Oaths of Allegiance and Supremacy, since the return of His Majesty into England, untill he shall take the same according to the Laws and Statutes of this Kingdom: Which Oaths the Lords of His Privy Council, or any six of them, are hereby impowred to administer to any Peer of this Realm, who shall be Commissionated by Vertue of this Act; and the Deputy-Lieutenants, or any two of them, in their respective Counties, to any Commoner.

## C A P. VII.

An Act for confirming Publick Acts.

**W**hereas during the late Difficulties and Exigencies of Affairs in the absence of His most Excellent Majesty, and in reference to His Return from beyond the Seas into these His Majesties Dominions, The Lords and Commons being assembled at Westminster, the five and twentieth day of April in the Twelfth year of His Majesties Reign, were from thence, and after His Majesties Return, continued until the nine and twentieth day of December, then next following, and now law past, and then dissolved by His Majesty: In which time several Acts were passed by His Majesty, by and with the Advice and Consent of the Lords and Commons Assembled, as aforesaid, which being of necessary use, are fit to be continued and confirmed, although the manner of the said Assembling enforced by the difficulties and Exigencies aforesaid, which then lay upon the Nation, is not to be drawn into Example; Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament Assembled, and by the Authority of the same, That all and singular the Acts, made, or mentioned to be made by His said Majesty, by and with the Advice or Consent of the Lords and Commons, upon, or since the said five and twentieth day of April, herein after particularly mentioned and expressed, That is to say, One Act, Entituled, An Act of Free and General Pardon, Indemnity, and Oblivion: One other Act, Entituled, A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported: One other Act, Entituled, An Act for continuing the Excise untill the twentieth of August, One thousand six hundred and sixty: One other Act, Entituled, An Act for continuing the Excise till the five and twentieth day of December, One thousand six hundred and sixty: One other Act, Entituled, An Act for the speedy Provision of Money, for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: One other Act, Entituled, An Act for Confirmation of Judicial Proceedings: One other Act, Entituled, An Act for the speedy Disbanding of the Army and Garrisons of this Kingdom: One other Act, Entituled, An Act for Supplying and Explaining certain Defects in an Act Entituled, An Act for the speedy Provision of Money for disbanding and Paying off the Forces of this Kingdom both by Land and Sea: One other Act, Entituled, An Act to prevent Frauds and Concealments of His Majesties Customes and Subsidies: One other Act, Entituled, An Act for Raising sevenscore thousand Pounds for the compleat Disbanding of the whole Army, and Paying off some part of the Navy: One other Act, Entituled, A Grant of certain Impositions upon Beer, Ale, and other Liquors, for the Increase of His Majesties Revenue during His Life: One other Act, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for Settling a Revenue upon his Majesty in lieu thereof: One other Act, Entituled, An Act for the better Ordering the

Stat. 12. Car. 2.

cap. 11.

Stat. 12. Car. 2.

cap. 4.

Stat. 12. Car. 2.

cap. 5.

Stat. 12. Car. 2.

cap. 8.

Stat. 12. Car. 2.

cap. 9.

Stat. 12. Car. 2.

cap. 12.

Stat. 12. Car. 2.

cap. 15.

Stat. 12. Car. 2.

cap. 10.

Stat. 12. Car. 2.

cap. 19.

Stat. 12. Car. 2.

cap. 10.

Stat. 12. Car. 2.

cap. 13.

Stat. 12. Car. 2.

cap. 14.

Stat. 12. Car. 2.

cap. 15.

the selling of Wines by Retail, and for preventing abuses in the mingling, corrupting, and vitiating of Wines, and for setting and limiting the prices of the same: **One other Act Entituled**, An Act for the levying of the arrears of the Twelve Moneths Assessment commencing the Four and Twentieth Day of *June*, One thousand six hundred Fifty and Nine: and the Six Moneths Assessment commencing the Five and Twentieth of *December*, One Thousand Six Hundred Fifty and Nine: **One other Act Entituled**, An Act for Granting unto the Kings Majesty Four Hundred and Twenty Thousand pounds, by an Assessment of Threescore and ten Thousand pounds by the Moneth, for Six Moneths, for Disbanding the Remainder of the Army, and Paying off the Navy: **One other Act Entituled**, An Act for further Supplying and Explaining certain Defects in an Act Entituled, An Act for the speedy provision of Money for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: **One other Act Entituled**, An Act for the raising of Seventy Thousand pounds for the further Supply of His Majesty: **One other Act Entituled**, An Act for the Attainder of several Persons guilty of the horrid Murder of His late Sacred Majesty, King CHARLES the First: **One other Act Entituled**, An Act for Erecting and Establishing a Post-Office: **One Other Act Entituled**, An Act for putting in Execution an Ordinance mentioned in this Act: and all and every the Clauses, Sentences, and Articles in them, and every of them contained, shall be, and hereby are Ratified, and Confirmed, and Enacted, and Declared to have the full Force and Strength of Acts of Parliament according to the tenor or purport thereof, and so shall be adjudged, deemed, and taken to all Intents and purposes whatsoever, and as if the same had been made, declared, and enacted by Authority of this present parliament.

Stat. 12. Car. 2.  
cap. 26.Stat. 12. Car. 2.  
cap. 27.Stat. 12. Car. 2.  
cap. 28.Stat. 12. Car. 2.  
cap. 29.Stat. 12. Car. 2.  
cap. 30.Stat. 12. Car. 2.  
cap. 31.Stat. 12. Car. 2.  
cap. 32.Stat. 12. Car. 2.  
cap. 33.

## C A P. VIII.

An Act for providing necessary Carriages for His Majesty in His Royal Progresses and Removals.

**VV**hereas by an Act made in Parliament in the Twelfth Year of His Majesty's Reign, Entituled, An Act for taking away the Court of Wards, and Liveries, and Tenures *in capite* and by Knight Service, and Purveyance, and for setting a Revenue upon His Majesty in lieu thereof: It was (amongst other things) Enacted for the Reasons and Recompence therein expressed, That from thenceforth no person or persons, by any Warrant, Commission, or Authority under the Great Seal, or otherwise, by colour of buying, or making provision, or purveyance for His Majesty, or any Queen of England for the time being, or of any the Children of any King, or Queen of England, that shall be, or for his, their, or any of their Household, shall take any Cart, Carriage, or other thing whatsoever of any of the Subjects of His Majesty, His Heirs, or Successors, without the free and full consent of the Owner, or Owners thereof, had, and obtained without Menace, or enforcement, nor shall summon, warn, take, use, or require any the said Subjects to furnish or find any Horses, Oxen, or other Cattel, Carts, Ploughs, Wains, or other Carriages, for the use of His Majesty, His Heirs or Successors, or of any Queen of England, or of any Child, or Children of any the Kings, or Queens of England for the time being, for the Carrying the Goods of His Majesty, His Heirs, or Successors, or the said Queens, or Children, or any of them, without such full and free consent, as aforesaid, any Law, Statute, Custome, or Usage to the contrary notwithstanding; which Act may prove very prejudicial and inconvenient to the Kings Majesty in His Royal progresses upon His necessary occasions to several parts of this Realm, in case any person or persons, shall obstinately refuse voluntarily to provide sufficient Carriages for Royal service at ordinary and usual rates for such Carriages, as are paid by others of His Subjects in such places, contrary to the true intent and meaning of the said Act.

Stat. 12. Car. 2.  
cap. 24.

Be



Clerk or chief  
Officer of his  
Majesties Car-  
riages, by war-  
rant from the  
Green-cloth  
to provide  
Carts, &c. for  
his Majesties  
use.

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That the Clerk, or chief Officer of His Majesties Carriages, shall three dayes at least before His Majesties Arrival, by Warrant from the Green-cloth, give notice in writing to two, or more of His Majesties Justices of the Peace next adjoyning, to provide such a number of Carts and Carriages from the places next adjacent, as His Majesty shall have present use of; expressing the certainty of that number, as also the time and place, when and where the said Carts and Carriages are to attend, which Carriages shall consist of four able Horses, or six Oxen, or four Oxen, and two Horses: for each of which Cart or Carriage, the respective Owners shall receive six pence for each mile they shall go laden. And that in case any of His Majesties Subjects of this Realm shall refuse to provide and furnish His Majesty that now is, or His Queen that shall be, or His or Her Household, in their Progresses, or Removals, with such sufficient and necessary Carriages for their War-drobe, and other necessaries, for ready monies tendered to them; or shall without just and reasonable cause refuse to make their appearance with such sufficient Carts and Carriages, as are before express; that then upon due proof and conviction of such neglect and refusal; by the Oath of the Constable or other Officer, or two other credible Witnesses, before the said Justices of the Peace of the County, or Mayor, or other chief Officer of the City, or Corporation, where he or they inhabit, (which Oath they shall have power to administer) the party so refusing shall for such his refusal and neglect, forfeit the sum of Forty shillings to the Kings use, to be forthwith levied by distress and sale of his Goods and Chattels (rendering to the parties the over-plus upon every such sale, if there shall be any) by Warrant from the said Justices of the Peace, Mayor, or other chief Officer.

Penalty for re-  
fusing to fur-  
nish his Majes-  
ty.

No Horses or  
Carriages to  
travel above a  
dayes journey,  
nor without  
pay of ready  
money.

Provided alwaies, That no Horses, Oxen, Cart, or Wain, shall be enforced to travel above one dayes journey from the place where they receive their Lading; and that ready payment shall be made in hand for the said Carriages at the place of Lading, without delay, according to the aforesaid Rates. And in case any Justice of the Peace, Mayor, chief Officer, or Constable, shall take any Gift or Reward to spare any person or persons from making such Carriage; or shall injuriously charge or grieve any person, through envy, hatred, or evil will, who ought not to make such Carriage, or shall Impress more Carriages then he shall be directed from the Green-cloth to do, That then upon due proof and conviction thereof, the party so offending shall forfeit the sum of Ten pounds to the party thereby grieved, or any other who shall sue for the same, to be recovered by Action of Debt in any of His Majesties Courts of Record; wherein no Protection, Excoign, or Wager of Law shall be allowed: And in case any person or persons shall presume to take upon him or them to Impress any Horses, Oxen, Cart, Wain, or Carriages for his Majesties service, other then the person so impowered, then he or they so offending shall, upon due conviction of the said offence, incur and suffer the punishment contained in the first recited Act.

Penalty for  
wrongful  
charging any  
person.

Rates for  
Horse-meat  
and Dyer for  
his Majesties  
Servants.

And whereas of late in his Majesties Progresses, excessive rates and prices have been exacted from his Majesties Servants for Lodging, Horse-meat, Stable-room, and other accommodations; Be it therefore Enacted by the Authority aforesaid, That none of his Majesties said Servants shall be compelled to pay above One shilling by the night for every Bed that they shall use for themselves; nor above Six pence by the night for every Bed that they shall use for their Servants: And that in all such Houses where any of his Majesties said servants shall pay for their dyet, or for hay and provender for their Horses, convenient lodging shall be provided for themselves and their Servants, without paying any thing for the same.

Rates and pri-  
ses to be set  
down by two  
Justices of the  
Peace.

And be it further Enacted by the Authority aforesaid, that any two or more of the Justices of the Peace near adjoyning to the Road through which his

Majesty

Majesty is to pass, shall immediately after notice in writing from the said Green-cloth, and Avenor, under their hands and seals set down and appoint such reasonable rates and prices to be paid during his Majesties abode there, both for Hay and Oats, and other accommodations for Horses, as they in their discretion shall think fit; which Rates, one day at the least before his Majesties coming to such place, the said Justices shall cause to be proclaimed in the Market Town next to such place, and in such of the Neighbouring Towns and Villages as to them shall seem meet, to the end that notice may be taken of such rates and prices. And if any person shall take any other sum than what is, or shall be limited, either for Lodging, Horse-meat, Stable-room, or other such accommodations, and be thereof convicted by confession of the party, or by the Oath of one credible Witness, before any one Justice of the Peace (which Oath the said Justice of the Peace is hereby authorized to administer) That then in such case every person so offending, shall forfeit, and pay to the party grieved, the sum of Forty shillings; the same to be levied by distress by Warrant from the said Justice of the Peace, and sale thereof, returning the overplus to the party (the charge of the distraining being first deducted:) This Act to have continuance till the end of the first Session of the next Parliament, and no longer.

Penalty for taking more than limited for lodging, &c.

## C A P. IX.

An Act for the Establishing Articles and Orders for the regulating and better Government of His Majesties Navies, Ships of War, and Forces by Sea.

**F**OR the regulating and better Government of his Majesties Navies, Ships of War, and Forces by Sea; wherein under the good Providence and protection of God, the Wealth, Safety, and Strength of this Kingdom is so much concerned, Be it Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority thereof, That all and every the Articles and Orders in this Act mentioned, shall be duly and respectively put in Execution, Observed, and Obeyed in manner hereafter mentioned.

Articles to be observed.

## I.

**T**hat all Commanders, Captains, and other Officers at Sea, shall cause the publick Worship of Almighty God according to the Liturgy of the Church of England, established by Law, to be solemnly, orderly, and reverently performed in their respective Ships: And that prayers and preachings by the respective Chaplains, in holy Orders, of the respective Ships, be performed diligently; and that the Lords Day be Observed according to Law.

The publick worship of God.

## II.

Every person and persons in his Majesties pay, using unlawful and rash Oaths, Cursings, Execrations, Drunkenness, Uncleanliness, or other Scandalous Actions in derogation of Gods Honour, and corrupting of good manners, shall be punished by fine, Imprisonment, or otherwise, as the Court-Martial shall think fit.

Swearing, drunkenness, &c.

## III.

If any Officer, Mariner, Souldier, or other person in the Fleet shall give, hold, or entertain Intelligence, to, or with any King, Prince, or State, being Enemy to, or any persons in Rebellion against his Majesty, his Heirs and Successors, without direction or leave from the Kings Majesty, the Lord High Admiral, Vice-Admiral, or Commander in chief of any Squadron, every such person or persons so offending, shall be punished with death.

Holding any Foreign Intelligence.

## IV. 36



## IV.

Letters or  
Messages from  
any Forraign  
Prince, &c.  
Enemy to the  
King.

If any Letter or Message from any King, Forraign Prince, State, or Potentate, being an Enemy to the Kings Majesty, His Heirs and Successors; or on their behalf, be conveyed to any Inferiour Officer, Mariner, or Soldier, or other in the Fleet, and the said Officer, Mariner, Soldier, or other as aforesaid, do not within twelve hours (having opportunity so to do) acquaint the Superiour Commander with it; or if a Superiour Officer, or Mariner, being acquainted therewith by an Inferiour Officer, Mariner, or other, or himself in his own person, receiving a Letter or Message from any such Enemy or Rebel, and shall not in convenient time reveal the same to the Admiral, Vice-Admiral, or the Commander of the Squadron, every such person shall be punished with death, or such other punishment as the Court-martial shall think fit.

## V.

Relieving of  
any Enemy.

No person or persons of the Fleet shall relieve an Enemy or Rebel, in time of War, with money, victuals, powder, shot, arms, ammunition, or any other supplies whatsoever, directly or indirectly, upon pain of death, or such other punishment as the Court-martial shall think fit to impose.

## VI.

Papers, Charter parties, &c. taken in any ship seized as prize.

All the Papers, Charter Papers, Bills of Lading, Passports, and other Writings whatsoever, that shall be taken, seized, or found aboard any Ship or Ships which shall be surpris'd, or seized as prize, shall be duly preserved, and not torn, nor made away, but the very Originals sent up intirely, and without fraud, to the Court of Admiralty, or such other Commissioners as shall be appointed for that purpose; there to be viewed, made use of, and proceeded upon according to Law, upon pain of loss of all the shares of the Takers, and such further punishment to be inflicted upon the Offenders therein, as the quality of their offence and misdemeanor shall be found to deserve, and the Court-martial shall impose.

## VII.

Prize, ships or goods seized for prize.

None in his Majesties pay shall take out of any Prize, or Ship, or Goods seized on for Prize, any Money, Plate, Goods, Lading or Tackle, before Judgment thereof first pass in the Admiralty Court, but the full and intire account of the whole, without imbezlement, shall be brought in, and Judgment pass intirely upon the whole, without fraud, upon pain of such punishment as shall be imposed by a Court-martial, or the Court of Admiralty; excepting, That it shall be lawful for all Captains, Seamen, Soldiers, and others, serving as aforesaid, to take and to have to themselves as Pillage, without further or other account to be given for the same, all such Goods and Merchandizes (other then Arms, Ammunition, Tackle, Furniture, or Stores of such Ship) as shall be found by them, or any of them, in any Ship (they shall take in fight or prize) upon or above the Gun-deck of the said Ship, and not otherwise.

## VIII.

Imbezeling any Cable, Anchors, &c.

None shall imbezle, steal, or take away any Cables, Anchors, Sails, or any of the Ships Furniture, or any of the Powder, or Arms, or Ammunition of the Ship, upon pain of death, or other punishment, as the quality of the offence shall be found by a Court-martial to deserve.

## IX.

Forraign ships taken as prize not making resistance.

If any Forraign Ship or Vessel shall be taken as prize, that shall not fight or make resistance, that in that case, none of the Captains, Masters, or Mariners, being Forraigners, shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil entreated, upon pain, That the person or persons so offending, shall forfeit double Damages; but the said Forraign Ships, and all the Goods so taken, shall be preserved intire to receive Judgment in the Admiralty Court, according to Right and Justice.

X. Every

## X.

Every Captain or Commander, who upon signal or order of fight, or view, or sight of any Ships of the Enemy, Pyrate, or Rebel, or likelihood of Engagement, shall not put all things in his Ship in a fit posture for fight, and shall not in his own person, and according to his place, hearten and encourage the Inferiour Officers and common men to fight courageously, and not to behave themselves faintly, shall be cashiered: And if he or they shall yield to the Enemy, Pyrate, or Rebels, or cry for quarter, he or they so doing shall suffer the pains of death, or such other punishment as the offence shall deserve.

The Duty of Captains, &c. upon signal of fight.

Not to yield or cry for quarter.

## XI.

Every Captain, Commander, and other Officer, Seaman, or Souldier of any Ship, Frigot or Vessel of War, shall duely observe the Commands of the Admiral, or other his Superiour or Commander of any Squadron, as well for the assailing or setting upon any Fleet, Squadron, or Ships of the Enemy, Pyrate, or Rebels, or joyning Battel with them, or making defence against them, as all other the Commands of the Admiral, or other his Superiour Commander, upon pain to suffer death or other punishment as the quality of his neglect or offence shall deserve.

All Officers shall observe the commands of the Admiral.

## XII.

Every Captain, and all other Officers, Mariners, and Souldiers of every Ship, Frigot, or Vessel of War, that shall in time of any fight or engagement, withdraw or keep back, or not come into the fight and engage, and do his utmost, to take, fire, kill, and endamage the Enemy, Pyrate, or Rebels, and assist, and relieve, all and every of His Majesties Ships; shall for such offence of cowardize or disaffection, be tryed and suffer pains of death, or other punishment, as the circumstances of the offence shall deserve, and the Court-martial shall judge fit.

Officers that in time of fight shall withdraw or not fight.

## XIII.

The Captains, Officers, and Seamen of all Ships, appointed for Convoy and Guard of Merchants Ships, or any other, shall diligently attend upon that Charge without delay, according to their Instructions in that behalf; and whosoever shall be faulty therein, and shall not faithfully perform the same, and defend the Ships and Goods in their Convoy, without either diverting to other parts or occasions; or refusing or neglecting to fight in their defence, if they be set upon, or assailed, or running away cowardly, and submitting those in their Convoy to hazard and peril, or shall demand and exact any money, or other reward from any Merchant or Master, for convoying of any such Ships or other Vessels belonging to His Majesties Subjects, shall be condemned to make reparation of the damage to the Merchants, Owners and others, as the Court of Admiralty shall adjudge; and also be punished criminally according to the quality of their Offences, be it by pains of death or other punishment, according as shall be judged fit by the Court-martial.

Officers and Ships appointed for Convoy, their duty

Penalty for non-performance.

## XIV.

Whatsoever person or persons, in, or belonging to the Fleet, either through cowardize, negligence, or disaffection, shall forbear to pursue the chase of any Enemy or Pyrate, or Rebel beaten, or flying, or shall not relieve or assist a known friend in view, to the utmost of his power, shall be punished with death or otherwise, as a Court-martial shall find fit.

The penalty for not chasing an Enemy, or not relieving a friend

## XV.

When at any time, service, or action shall be commanded, no man shall presume to stop or put backward, or discourage the said service and action, by pretence of Arrears of Wages, or upon any pretence of Wages whatsoever, upon pain of death.

Service commanded shall not be stopped or discouraged.

## XVI.

All Sea-Captains, Officers, and Seamen, that shall betray their Trust, or turn to the Enemy, Pyrate, or Rebels, and either run away with their Ship

None shall betray their trust nor yield to the Enemy.

S

or



or any Ordnance, Ammunition, or Provision, to the weakning of the Service, or yield the same up to the Enemy, Pirate, or Rebels, shall be punished with death.

## XVII.

Deserting the service or running away.

All Sea-Captains, Officers, or Mariners, that shall desert the Service or their Imployment in the Ships, or shall run away, or intice any others so to do, shall be punished with death.

## XVIII.

Spies.

All persons whatsoever that shall come, or be found in the nature of Spies, to bring any seducing Letters or messages from any Enemy or Rebel, or shall attempt or endeavour to corrupt any Captain, Officer, Mariner, or other of the Navy or Fleet, to betray his or their Trust, and yield up any Ship or Ammunition, or turn to the Enemy or Rebel, shall be punished with death.

## XIX.

Sedition, Mutiny.

No Person in or belonging to the Fleet, shall utter any words of Sedition or Mutiny, nor make or endeavour to make any mutinous Assemblies upon any pretence whatsoever, upon pain of death.

## XX.

Concealers of trayterous or mutinous practices or words

No person in or belonging to the Fleet, shall conceal any trayterous or mutinous practices, designs, or words, or any words spoken by any to the prejudice of His Majesty, or Government, or any words, practices, or designs, tending to the hindrance of the Service, but shall forthwith reveal them to his Superiour, that a meet proceeding may be had thereupon, upon pain of such punishment as a Court-martial shall find to be just.

## XXI.

Quarrelling or striking a superiour Officer.

None shall presume to quarrel with his Superiour Officer; upon pain of severe punishment, nor to strike any such upon pain of death, or otherwise, as a Court-martial shall find the matter to deserve.

## XXII.

Unwholcomeness of victuals.

If any of the Fleet find cause of Complaint of the unwholcomeness of his Victuals, or upon other just ground, he shall quietly make the same known to his Superiour, or Captain, or Commander in Chief, as the occasion may deserve, that such present remedy may be had as the matter may require, and the said Superiour or Commander is to cause the same to be presently remedied accordingly; but no person upon any such or other pretence, shall privately attempt to stir up any disturbance, upon pain of such severe punishments as a Court-martial shall find meet to inflict.

## XXIII.

Quarrelling or provoking speeches.

None shall quarrel or fight in the Ship, nor use reproachful or provoking speeches tending to make any quarrel or disturbance, upon pain of Imprisonment, and such other punishment as the Offence shall deserve, and the Court-martial shall impose.

## XXIV.

Wastful expence of Ammunition.

That there be no wastful expence of any Powder, Shot, Ammunition or other stores in the Fleet, nor any imbezlement thereof, but that the Stores and Provisions be carefully preserved upon such penalties by Fine, Imprisonment, or otherwise, upon the Offenders, Abettors, Buyers, and Receivers, as shall be by a Court-martial found just in that behalf.

## XXV.

Care of conducting and steering ships.

That care be taken in the conducting and steering the Ships, that through wilfulness, negligence, or other defaults, none of His Majesties Ships be stranded or run upon any Rocks or Sands, or split, or hazarded, upon pain, that such as shall be found guilty therein, be punished by Fine, Imprisonment, or otherwise, as the Offence by a Court-martial shall be adjudged to deserve.

XXVI. All

## XXVI.

All persons that shall willingly burn or set fire on any Ship, or Magazine, <sup>Burning a Ship.</sup> or store of Powder, or Ship, Boat, Ketch, Hoy, or Vessel, or Tackle, or Furniture thereto belonging, not appertaining to an Enemy or Rebel, shall be punished with death.

## XXVII.

No man, in, or belonging to the Fleet, shall sleep upon his Watch, <sup>Sleeping upon Watch.</sup> or negligently perform the Duty imposed on him, or forsake his station, upon pain of death, or other punishment, as the circumstances of the Case shall require.

## XXVIII.

All Murthers and wilfull killing of any persons in the ship, shall be punished with death. <sup>Murthers.</sup>

## XXIX.

All Robbery and Theft committed by any person, in or belonging to the Fleet, shall be punished with death, or otherwise, as the Court-martial upon consideration of circumstances shall find meet. <sup>Robbery and Theft.</sup>

## XXX.

No Provost-marshal belonging to the Fleet, shall refuse to receive or keep any prisoner committed to his charge, nor suffer him to escape, being once in his custody, nor dismiss him without order, upon pain of being liable to the same punishment which should have been inflicted upon the party dismissed, or permitted to escape, or such other punishment as the Court-martial shall think fit. <sup>Provost-marshal prisoners.</sup>

## XXXI.

All Captains, Officers, and Seamen, shall do their endeavours to detect, apprehend, and bring to punishment all Offenders, and shall assist the Officers appointed for that purpose therein, upon pain to be proceeded against, and punished by the Court-martial at discretion. <sup>Apprehending Offenders.</sup>

## XXXII.

If any person or persons, in or belonging to the Fleet, shall commit the unnatural and detestable sin of Buggery or Sodomy with Man or Beast, he shall be punished with death without mercy. <sup>Sodomy.</sup>

## XXXIII.

All other Faults, Misdemeanors, and Disorders committed at Sea, not mentioned in this Act, shall be punished according to the Laws and Customs in such cases used at Sea. <sup>Misdemeanors and Disorders at Sea.</sup>

## XXXIV.

And it is hereby further Enacted, That the Lord High Admiral for the time being shall by vertue of this Act have full power and authority to grant Commissions to Inferiour Vice-Admirals, or Commander in chief of any Squadron of Ships, to call and assemble Court-martials, consisting of Commanders and Captains; and no Court-martial where the pains of death shall be inflicted, shall consist of less than five Captains at least, the Admirals Lieutenant to be as to this purpose esteemed as a Captain; and in no case wherein sentence of death shall pass by vertue of the Articles aforesaid, or any of them (except in case of mutiny) there shall be execution of such Sentence of Death, without the leave of the Lord high Admiral, if the offence be committed within the Narrow Seas: But in case any of the Offences aforesaid be committed in any Voyage beyond the Narrow Seas, whereupon Sentence of Death shall be given in pursuance of the aforesaid Articles, or of any of them; then Execution shall not be done but by Order of the Commander in Chief of that Fleet or Squadron wherein Sentence of Death was passed. <sup>The Lord high Admirals power to grant Commissions to call Court-martials.</sup>

## XXXV.

And be it further Enacted and Declared, That the Judge-Advocate of any Fleet, for the time being, shall have full power and authority to administer <sup>Judge-Advocate of any Fleet to administer an Oath for trial of offences.</sup>



Court-martial

minister an Oath to any person or witness in order to the Examination or Tryal of any of the Offences aforesaid; and in the absence of a Judge-Advocate, the Court-martial shall have full power and authority to appoint any person to administer an Oath to the purpose aforesaid.

Proviso touching the powers of the Lord Admiral.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act or any thing or things therein contained, shall not in any manner of wise extend to give unto the Lord Admiral of England, for the time being, or to any his Vice-Admirals, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Ministers of the Admiralty, or to any others having or claiming any Admiral Power, Jurisdiction, or Authority, within this Realm and Wales, or any other the Kings Dominions, any other power, Right, Jurisdiction, Preheminence, or Authority, then he or they, or any of them, lawfully have, hath, or had, or ought to have and enjoy before the making of this Act, other then for such of the Offences specified in the several Articles contained in this Act, as hereafter shall be done upon the main Sea, or in Ships, or Vessels being and hovering in the main Stream of great Rivers, only beneath the Bridges of the same Rivers, nigh to the Sea, within the Jurisdiction of the Admiralty, and in none other places whatsoever, and committed only by such persons as shall be in actual Service and Pay in his Majesties Fleet, or Ships of War.

## C A P. X.

An Act to prevent the unlawful Courting, Hunting, or Killing of Deer.

Unlawful hunting or killing of Deer.

For the better preventing of the unlawful Courting, Hunting, Taking or Killing of Deer, by any Idle, Loose, and disorderly Persons; Be it Enacted by the Kings most Excellent Majesty, and by the advice and consent of the Lords and Commons in Parliament assembled, and by the Authority of the same, That if any person or persons shall from, and after the first day of August next, unlawfully course, kill, hunt, or take away, any Red or Fallow Deer in any Forrest, Chase, Park, Paddock, Wood, Park, or other Ground where Deer are, or have been usually kept within the Realm of England, or Dominion of Wales, without the consent of the Owner, or person chiefly intrusted with the custody thereof, or shall be aiding or assisting therein, and shall be convicted thereof, by the confession of the party, or by the Oath of One or more credible Witnesses, before one or more Justices of the Peace (who are hereby impowred to administer an Oath to that purpose) such person being prosecuted for such Offence within six moneths after such Offence done; that then every person so offending shall forfeit for every such Offence the sum of Twenty pounds to be levied by way of Distress upon the Goods and Chattels of every such Offender by Warrant under the Justices hand, before whom such conviction shall be made; the one moiety of the said Twenty pounds to be given to the Informer, and the other moiety to the Owner of the Deer; and for want of sufficient Distress, the Offender shall be committed to the House of Correction for six moneths, and there to be put to hard labour, or to the common Goal for one whole year, without Bail or Main-prize, at the discretion of the Justices of the Peace before whom such conviction shall be (and not to be discharged from thence till he or they have given sufficient Sureties for their good behaviour, for one whole year next ensuing after his or their enlargement,) Provided, that where any Offender shall be punished by force of this Act, That he shall not be prosecuted, nor incur the Penalty of any other Law or Statute for the same Offence.

The Penalty.

CAP.

## C A P. XI.

An Act for Confirming of three Acts therein mentioned.

**B**E it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the several Acts herein after mentioned, made, or mentioned to be made upon or since the twenty fifth day of April, in the Twelfth year of His said Majesties Reign, by His said Majesty, by and with the advice or consent of the Lords and Commons assembled at Westminster upon the said twenty fifth of April, and there continued until the twenty ninth day of December then next following, and then dissolved; which said Acts are herein after particularly mentioned and expressed by the several and respective Titles following, That is to say, One Act, Entituled, An Act for the raising of Seventy thousand pounds for the farther Supply of His Majesty; And one other Act, Entituled, An Act for Confirmation of Marriages; And one other Act, Entituled, An Act for a perpetual Anniversary Thanksgiving on the twenty ninth day of May; and all and every the Clauses, Sentences, and Articles in them, and every of them, contained, shall be, and hereby are Ratified, and Confirmed, and Enacted, and Declared, to have the full force and strength of Acts of Parliament, according to the tenor and purport thereof, and so shall be adjudged, deemed, and taken to all intents and purposes whatsoever, and as if the same had been made, declared, and enacted by Authority of this present Parliament.

Stat. 12. Car. 2.  
cap. 29.  
Stat. 12. Car. 2.  
cap. 33.  
Stat. 12. Car. 2.  
cap. 14.

## C A P. XII.

An Act for Explanation of a Clause contained in an Act of Parliament made in the seventeenth year of the late King Charles, Entituled, An Act for Repeal of a Branch of a Statute *primo Elizabethæ* concerning Commissioners for Causes Ecclesiastical.

**W**HEREAS in an Act of Parliament made in the seventeenth year of the late King Charles, Entituled, An Act for Repeal of a Branch of a Statute *Primo Elizabethæ* concerning Commissioners for Causes Ecclesiastical, it is (amongst other things) Enacted, That no Arch-bishop, Bishop, nor Vicar-General, nor any Chancellour, nor Commissary of any Arch-bishop, Bishop, or Vicar-General, nor any Ordinary whatsoever, nor any other Spiritual or Ecclesiastical Judge, Officer, or Minister of Justice, nor any other person or persons whatsoever, exercising Spiritual or Ecclesiastical Power, Authority, or Jurisdiction, by any Grant, Licence, or Commission of the Kings Majesty, His Heirs or Successors, or by any Power or Authority derived from the King, His Heirs or Successors, or otherwise, shall (from and after the first day of August, which then should be in the year of our Lord God, One thousand six hundred forty one) Award, Impose, or Inflict any Pain, Penalty, Fine, Amercement, Imprisonment, or other Corporal punishment upon any of the Kings Subjects, for any contempt, misdemeanor, crime, offence, matter, or thing whatsoever, belonging to Spiritual or Ecclesiastical Cognizance or Jurisdiction, whereupon some doubt hath been made, that all ordinary power of Correction and Proceedings in Causes Ecclesiastical were taken away, whereby the ordinary course of Justice in Causes Ecclesiastical hath been obstructed; Be it therefore declared and Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority thereof, That neither the said Act, nor any thing therein contained, doth, or shall take away any ordinary Power or Authority from any of the said Arch-bishops,

Stat. 17. Car. 2.  
cap. 11.

Bishops,



The ordinary power of Arch-bishops, &c. not taken away. May use Ecclesiastical Jurisdiction.

Bishops, or any other person or persons named as aforesaid, but that they and every of them, exercising Ecclesiastical Jurisdiction, may proceed, determine, sentence, execute, and exercise all manner of Ecclesiastical Jurisdiction, and all Censures and Coertions appertaining and belonging to the same, before the making of the Act before recited, in all causes and matters belonging to Ecclesiastical Jurisdiction, according to the Kings Majesties Ecclesiastical Laws used and practised in this Realm, in as ample manner and form as they did, and might lawfully have done before the making of the said Act.

The St. 17. Car. I. cap. 11. Rep. as to all except what concerns the High Commission Court.

And be it further Enacted by the Authority aforesaid, That the afove recited Act of Decimo septimo Caroli, and all the matters and Clauses therein contained (excepting what concerns the High Commission Court, or the new creation of some such like Court by Commission) shall be and is hereby repealed, to all intents and purposes whatsoever, Any thing, clause, or sentence in the said Act contained to the contrary notwithstanding.

Proviso.

Provided alwaies, and it is hereby Enacted, That neither this Act, nor any thing herein contained, shall extend or be construed to revive, or give force to the said Branch of the said Statute made in the said first year of the Reign of the said late Queen Elizabeth, mentioned in the said Act of Parliament made in the said seventeenth year of the Reign of the said King Charles; but that the said Branch of the said Statute made in the said first year of the Reign of the said Queen Elizabeth, shall stand and be repealed in such sort as if this Act had never been made.

Proviso touching the Oath Ex Officio.

Provided also, and it is hereby further Enacted, That it shall not be lawful for any Arch-bishop, Bishop, Vicar General, Chancellor, Commissary, or any other Spiritual or Ecclesiastical Judge, Officer, or Minister, or any other person, having or exercising Spiritual or Ecclesiastical Jurisdiction, to tender or administer unto any person whatsoever, the Oath usually called the Oath Ex Officio, or any other Oath whereby such person to whom the same is tendered or administered, may be charged or compelled to confess, or accuse, or to purge him, or her self, of any criminal matter or thing, whereby he or she may be lyable to any censure or punishment; Any thing in this Statute, or any other Law, Custome, or Usage heretofore to the contrary hereof, in any wise notwithstanding.

Proviso not to give any other Jurisdiction to any Arch-bishop, &c. than they had by Law before the year 1639. The Kings Supremacy in Ecclesiastical matters. Cannons Ecclesiastical.

Provided alwaies, that this Act or any thing therein contained, shall not extend or be construed to extend to give unto any Arch-bishop, Bishop, or any other Spiritual or Ecclesiastical Judge, Officer, or other person or persons aforesaid, any power or authority to exercise, execute, inflict, or determine any Ecclesiastical Jurisdiction, Censure, or Coertion, which they might not by Law have done before the year of our Lord, one thousand six hundred thirty and nine, nor to abridge or diminish the Kings Majesties Supremacy in Ecclesiastical matters and affairs, nor to confirm the Cannons made in the year one thousand six hundred and forty, nor any of them, nor any other Ecclesiastical Laws or Cannons not formerly confirmed, allowed, or enacted by Parliament, or by the established Laws of the Land as they stood in the year of our Lord one thousand six hundred thirty and nine.

### G A P. XIII.

An Act for vesting the Arrears of the Excise and New Impost in His Majesty.

All Moneys owing upon Excise by any Laws or Ordinances vested in his Majesty.

**B**E it Declared and Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons assembled in Parliament, and by the authority thereof, That all and every sum and sums of money any wayes due, or owing from or by any person or persons whatsoever, for or touching the Imposition or Duty called the Excise, heretofore imposed and made payable upon Beer or Ale, or any other Commodities, by any Laws, or pretended Laws or Ordinances; and all Debts theretofore owing, whether by

by Obligation or upon Account from Farmers of Excise, or any other person or persons whatsoever, or any of their Securities, and not pardoned by His Majesties most Gracious Act of Pardon and Oblivion, be, and are hereby vested and settled in the Kings Majesty, His Heirs and Successors, may from time to time, and at all times hereafter, have, demand, sue for, and recover the same of all and every person and persons, their Heirs, Executors, and Administrators, having Assets, who are any way accountable for the same, or any part thereof, and from his and their respective Sureties, and Securities; as if the same Duties of Excise had been lawfully Assessed, Imposed, and Collected; and as if the several pretended Acts, Orders, and Ordinances, Assessing and Imposing the same, had been good, true, legal, and effectual Acts of Parliament. and had in express words given and granted, all and every the said Duties of Excise or new Impost unto His Majesty; and as if the Obligations and Recognizances entred into by the respective Sureties and Securities had at the time of entering into the same, been taken in His Majesties Name, according to the form prescribed in the Statute made in the three and thirtieth year of the Reign of King Henry the Eighth.

Provided alwaies, That all and every person and persons accountable by vertue of this Act, shall have all such due allowance in his or their accounts, as all such persons whose accounts are accepted in an Act, entituled, An Act of Free and General Pardon, Indemnity, and Oblivion, have, or ought to have.

Provided alwaies, That no person shall be questioned or molested for any of the Duties herein, or hereby vested in His Majesty, unless he shall be sued or prosecuted with effect before the five and twentieth day of December, which shall be in the year of our Lord one thousand six hundred sixty two.

Provided also, and be it enacted by the Authority aforesaid, That all persons accountable to His Majesty by this Act, shall have power and authority, and are hereby enabled to sue for, levy, and recover from any person or persons who do stand indebted unto them in any sum of money for the Duty or Impost of Excise, for which they are hereby accountable, all sums of money and Arrears unsatisfied, in as full and ample manner and form as they might have received and levied the same when they first grew due.

Proviso for allowances.

St. 12. Car. 2. cap. 11.

Proviso, no person to be questioned, unless he be sued before the 25. of December, 1662.

All persons accountable shall have authority to levy and recover all Arrears.

#### C A P. XIV.

An Act for Confirming an Act, Entituled, An Act for Encouraging and Increasing of Shipping, and Navigation, and several other Acts both publick and private mentioned therein.

**W**HEREAS during the late difficulties and exigencies of affairs in the absence of His most Excellent Majesty, and in reference to His return from beyond the Seas into these His Majesties Dominions; The Lords and Commons being assembled at Westminster the five and twentieth day of April, in the twelfth year of His Majesties Reign, were from thence, and after His Majesties return continued until the nine and twentieth day of December then next following, and now last past, and then dissolved by His Majesty in which time several Acts were passed by His Majesty, by and with the advice and consent of the said Lords and Commons assembled as aforesaid, which being of necessary use, are fit to be continued and confirmed, although the manner of the said assembling enforced by the difficulties and exigencies aforesaid, which then lay upon the Nation, is not to be drawn into example.

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and singular the Acts made or mentioned to be made by his said Majesty, by and with the advice or consent of the Lords and Commons, upon or since the said five and twentieth day of April, herein after particularly mentioned and expressed (that is to say)

One



Stat. 12. Car. 2. cap. 18. **One Act, Entituled, An Act for the encouraging and increasing of Shipping and Navigation:** Stat. 12. Car. 2. cap. 32. **One other Act, Entituled, An Act for Prohibiting the Exportation of Wool, Wool-Fells, Fullers Earth, or any kind of Scouring Earth:** Stat. 12. Car. 2. cap. 36. **One other Act, Entituled, An Act empowering the Master of the Rolls for the time being, for to make Leases for years, in order to new build the old Houses belonging to the Rolls:** Stat. 12. Car. 2. cap. 34. **One other Act, Entituled, An Act for prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland:** Stat. 12. Car. 2. cap. 13. **One other Act, Entituled, An Act for restraining the taking of excessive Usury:** Stat. 12. Car. 2. cap. 6. **One other Act, Entituled, An Act for the present nominating of Commissioners of Sewers:** **One other Act, Entituled, An Act for the Incorporating of the Master and Wardens of the Company of Haberdashers, London, to be Governours of the Free-School and Alms-houses in Newport in the County of Salop, of the Foundation of William Adams, and for Setling of Lands and Possessions on them for maintenance thereof, and other charitable uses.** And all and every the Clauses, Sentences, and Articles in them and every of them contained, shall be, and hereby are Ratified, and Confirmed, and Enacted and Declared to have the full force and strength of Acts of Parliament, according to the tenor and purport thereof, and so shall be adjudged, deemed, and taken, to all intents and purposes whatsoever, and as if the same had been made, declared, and Enacted by Authority of this present Parliament.

## CAP. XV.

An Act declaring the Pains, Penalties, and Forfeitures Imposed upon the Estates and Persons of certain notorious Offenders excepted out of the Act of Free and General Pardon, Indemnity, and Oblivion.

Stat. 12. Car. 2. cap. 11. **The Lands and Tenements of the persons deceased not discharged by the Act of General Pardon.**

**W**hereas in a certain Act passed at the late Assembly held at Westminster, in the twelfth year of His Majesties Reign, and confirmed by the Authority of this present Parliament, Entituled, An Act of Free and General Pardon, Indemnity, and Oblivion, (amongst other things) it is provided, that nothing therein contained should extend to discharge the Lands, Tenements, Goods, Chattels, Rights, Trusts, and other the Hereditaments late of Isaac Ewer deceased, Sir John Danvers deceased, Sir Thomas Maleverer Baronet deceased, William Purefoy deceased, John Blakiston deceased, Sir William Constable Baronet deceased, Richard Dean deceased, Francis Aleyn deceased, Peregrin Pelham deceased, John Moore deceased, John Aldred, alias Alured deceased, Humphrey Edwards deceased, Sir Gregory Norton Baronet deceased, John Venn deceased, Thomas Andrews Alderman deceased, Anthony Stapley deceased, Thomas Horton deceased, John Fry deceased, Thomas Hammond deceased, and Sir John Bouchier deceased, of and from such pains, penalties, and forfeitures, as by one other Act of Parliament intended to be afterwards passed for that purpose, should be expressed and declared: All which persons before mentioned, were (whilst they lived) notoriously known to have been wicked and active Instruments in the prosecution and compassing of that horrid and Execrable Treason, the Murder of our late Sovereign Lord King CHARLES the first, of ever blessed memory. And whereas William Lord Mounson, James Challoner, Sir Henry Mildmay, Sir James Harrinton, John Phelps, and Robert Wallop, who in the moneth of January, One thousand six hundred forty and eight, did act and sit in that Traiterous Assembly which proceeded against the Person and Life of our said late Sovereign Lord King Charles the first; and Sir Arthur Haslerig, who in his life did commit many horrid and Traiterous Crimes against the Person, Crown, and Dignity of his late Majesty of glorious memory, and his Majesty that now is, are all of them exempted out of the said Act, and reserved to future Pains, Penalties, and Forfeitures, not extended to life; since the passing of which Act, so as aforesaid confirmed, Sir Arthur Haslerig and James Challoner died, and no Act hath yet passed for the inflicting of due Pains

Pains, Penalties, and Forfeitures upon the persons and Estates of the Offenders aforesaid.

We therefore the Lords and Commons in Parliament assembled, do beseech your Majesty, That it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by authority of the same, That all and every the Mannors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities, and all other the Hereditaments, Leases for years, Chattels Real, and other things of what nature soever they be of them the said Isaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiston, Sir William Constable, Richard Dean, Francis Aleyn, Peregrin Pelham, John Moore, John Aldred alias Alured, Humphrey Edwards, Sir Gregory Norton, John Venn, Thomas Andrews, Anthony Stapley, Thomas Horton, John Fry, Thomas Hammond, Sir John Bouchier, William Lord Mounson, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps, Robert Wallop, and Sir Arthur Hallerig, which they or any of them, or any other person or persons, to their, or any of their uses, or in trust for them; or any of them, had the five and twentieth day of March, in the year of our Lord, One thousand six hundred forty and six, or at any time since, shall stand, and be forfeited unto your Majesty, your Heirs and Successors; and shall be deemed, vested, and adjudged to be in the actual and real possession of Your Majesty, without any Office or Inquisition thereof hereafter to be taken or found; And also that all and every the Goods, Debts, and other the Chattels personal whatsoever of them, the said Isaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiston, Sir William Constable, Richard Dean, Francis Aleyn, Peregrin Pelham, John Moore, John Aldred, alias Alured, Humphrey Edwards, Sir Gregory Norton, John Venn, Thomas Andrews, Anthony Stapley, Thomas Horton, John Fry, Thomas Hammond, Sir John Bouchier, James Challoner, and Sir Arthur Hallerig, whereof they or any of them at the time, of their respective deaths, or any other in Trust for them, or any of them stood possessed or interested in Law, or Equity, and all the Goods, Debts, and other the Chattels personal whatsoever of them the said William Lord Mounson, Sir Henry Mildmay, Sir James Harrington, John Phelps, Robert Wallop, whereof upon the eleventh day of February, in the year of our Lord, One thousand six hundred fifty and nine, they or any of them, or any other in trust for them, or any of them stood possessed either in Law or Equity, shall be deemed and adjudged to be forfeited, and are hereby vested and put into the actual and real possession of your Majesty without any further Office or Inquisition thereof hereafter to be taken or found.

Provided alwaies, and be it enacted by the Authority aforesaid, That no Conveyance, Assurance, Grant, Bargain, Sale, Charge, Lease, Assignment of Lease, Grants, and Surrenders by Copy of Court Roll, Estate, Interest, Trust or Limitation of any use or uses, of, or out of any Mannors, Lands, Tenements or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen or Prince, or of any Archbishops, Bishops, Deans, Deans and Chapters, nor being Lands or Hereditaments sold or given for the Delinquency, or pretended Delinquency of any person or persons whatsoever, by vertue or pretext of some Act, Order, Ordinance, or reputed Act, Order or Ordinance since the first day of January, one thousand six hundred forty and one, nor any Statute, Judgment, or Recognizance, had, made, acknowledged or suffered to any person or persons, Bodies Politick or Corporate, before the nine and twentieth day of September, One thousand six hundred fifty and nine, by any of the Offenders before in this Act mentioned, or their Heirs, or by any other person or persons claiming by, from, or under them, or any of them, other than the Wife or Wives, Child or Children, Heir or Heirs of such person or persons, or any of them for money bona fide to them or any of them paid, or lent, or other valuable consideration, nor any conveyance, assurance, grant or Estate made

The Mannors, Lands, &c. of the persons named.

Of which they were seized the 20th. of March 1646, or since forfeited and vested in his Majesty.

The Goods, Debts, and Chattels, of which the persons named were possessed at the time of their death forfeited to his Majesty.

The goods, &c. of which William Lord Mounson, Sir Hen. Mildmay, Sir James Harrington, John Phelps, and Robert Wallop, were possessed the 11th. of Feb. 1659. forfeited and vested in his Majesty.

Proviso for conveyances and assurances, &c. made bona fide before the 29. of September, 1659.



Conveyances  
and assurances  
made before  
the 25th of  
April, 1660.

So as they be  
inrolled in the  
Exchequer be-  
fore the first of  
Jan. 1663.

William Lord  
Mounson, Sir  
Henry Mild-  
may, Sir James  
Harrington, Ro-  
bert Wallop, and  
John Phelps  
degraded.

Will Mounson,  
Hen. Mildmay,  
Ja. Harrington,  
Ro. Wallop, and  
John Phelps  
shall be drawn  
to Tyburn as  
persons execu-  
ted for treason.

Proviso for ex-  
ecutors of the  
said persons  
and legacies.

Proviso for Sir  
W. L. Lewes.

before the five and twentieth day of April, One thousand six hundred and sixty, by any person or persons to any the Offenders aforesaid in trust, and for the benefit of any other person or persons, not being any of the offenders aforesaid, or in Trust for any Bodies Politick or Corporate, shall be Impeached, defeated, made void, or frustrated hereby, or by any of the Convictions, and Attainders aforesaid; But that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assigns, Cestuy que use, Cestuy que trust, and every of them, their Heirs, Executors, Administrators, and Assigns respectively, as if this Act had not been made, so as the said Conveyances, and all and every the Grants and Assurances, which by Vertue of this Act are, and ought to be held, and enjoyed as aforesaid, shall before the first day of January, which shall be in the year of our Lord, One thousand six hundred sixty and two, be entered, and entolled of Record in his Majesties Court of Exchequer, and not otherwise, any thing in this Act herein before contained to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That William Lord Mounson, Sir Henry Mildmay, Sir James Harrington, Robert Wallop Esquire, and John Phelps, and every of them shall be, and are hereby degraded from, and made incapable of, all and every the Titles of Honour, Dignities, and Pre-eminences which they or any of them now have, or which at any time hereafter may descend unto them; And that neither they, nor any of them shall at any time hereafter have, bear, or use the Name, Stile, Addition, or Title of Lord, Baronet, Knight, Esquire, or Gentleman, or any of them, nor shall use, or have any Coats, or Escutcheons of Arms whatsoever, nor any other legal Title, or addition whatsoever, but shall be for ever reputed, and are hereby declared to be Persons of Dishonour, and Infamy.

And further, That they the said William Mounson, Henry Mildmay, James Harrington, Robert Wallop, and John Phelps, and every of them, shall upon the seven and twentieth day of January, which shall be in the year of our Lord, One thousand six hundred sixty one, or so soon after as they shall be apprehended, carried to the Tower of London, and from thence drawn upon Sledges with Ropes about their necks, and according to the manner of persons executed for High Treason, quite through the streets of London unto the Gallows at Tyburn, and from thence in like manner be brought back again to the Tower of London; and there, or in such other Prison as his Majesty shall think fit, continue Prisoners, and suffer pains of Imprisonment for and during the term of their natural lives.

Provided alwaies, That no Executor, or Administrator, to any of the dead persons whose Estate is forfeited by this Act, shall at any time hereafter be sued, or molested for any Debt or Legacy by them paid as Executor or Administrator to any person or persons, to whom the same was due or bequeathed, and was by the said Executor or Administrator paid bona fide; but the respective Legatees who have received any such Legacies from the said Executors, shall be accountable to the Kings Majesty for all such Legacies, as they have respectively received, and shall pay the same to the Kings most Excellent Majesty.

Provided alwaies, That nothing in this Act shall be construed to forfeit the Term, Estate, or Interest which Sir William Lewes of Borden in the County of Southampton Baronet, had, or hath in the custody of the Park called East-mean Park in the aforesaid County, and in the game of Conies therein, for the term of three years to come, from our Lady day last, being the remaining years of a greater term (he the said Sir William being formerly possessed thereof) by an Assignment made by John Allen Executor of the said Francis Allen, the which said Park and Premises being part of the Possessions of the Bishop of Winchester, the said Sir William Lewes hath surrendered unto the said Bishop, and hath now taken a new Lease thereof for three lives, from the Bishop of Winchester, the which said Lease for three lives so made by the said Bishop unto the said Sir William Lewes, shall for, and notwithstanding this Act, or any thing therein

therein contained, remain firm and good unto the said Sir William Lewes, according to the true meaning of his said Lease; saving alwaies to all and every person and persons, Bodies Politick, and others their respective Heirs, Successors, Executors, and Administrators, all such Estate, Right and Title, and Interest in Law and Equity; which they or any of them have, or ought to have of, in, to, or out of any of the Premises, not being in Trust for any the said Offenders, nor derived by, from, or under the said offenders, since the five and twentieth day of March, one thousand six hundred forty six; saving alwaies and referring to Cuthbert Collingwood Esquire, and George Collingwood Gent. his Son, Heir, and either of their Heirs and Assigns, and the Farmers and Tenants of the said Cuthbert and George Collingwood, or either of them, and of their Heirs and Assigns, all such Right, Title of Entry and Action, Use, Interest, and Possession, which they, or any of them, or any in trust for them, or any of them, have, or had, or ought to have, of, in, to, or out of the Mannors, Townships, Villages, Hamlets, and Precincts of Ellington, Whittingham, Barton, Throunton, Fawden, Keynton, West Brunton, East Brunton, Dunnington, Blakedon, alias Blagdon, and Wettslade, or any of them in the County of Northumberland, and of, in, to, or out of the Lands, Tenements, Hereditaments, Rights, Members, and Appurtenances to them, or any of them, belonging or appertaining, as if this Act had never been made.

Provided also, That this Act, nor any thing herein contained, shall extend to prejudice the Estate and Interest, in Law or Equity, of Rachel Powre Widow, of, in, and to one Copphold, Messuage, and Mill thereunto belonging, with their Appurtenances, Situate, lying and being in Chepmansford in the County of Southampton, being parcel of the Mannor of Husband Priors which by Order and Decree of the High Court of Chancery of the one and twentieth of June, one thousand six hundred sixty one, she is to be forthwith restored unto, and put into possession of, and to quietly hold and enjoy the same during her Widowhood with the mean profits thereof taken by the said Mr. Wallop: But that it shall and may be lawful to and for the said Rachel Powre to hold and enjoy the same according to the said Decree.

Proviso for  
Rachel Powre.

Provided alwaies, and it is hereby further Enacted, That it shall and may be lawful to and for Barrington Bouchier Esquire, Son and Heir of Sir John Bouchier, herein before mentioned, to hold and enjoy all and singular the Lands, Tenements, and Hereditaments to him lately granted and conveyed, or mentioned to be granted and conveyed, in and by certain Letters Patents under the great Seal of England, bearing date the two and twentieth day of March, in the thirteenth year of His Majesties Reign, against His Majesty, His Heir and Successors for ever, according to the full intent and meaning of the Letters Patents; Any thing in this present Act contained to the contrary thereof in any wise notwithstanding.

Proviso for Sir  
J. Bouchier.





ANNO REGNI  
CAROLI II.  
REGIS

Angliæ, Scotiæ, Franciæ, & Hiberniæ,  
DECIMO TERTIO.

At the Parliament begun and holden at *Westminster*, the Eighth day of *May*, *An. Dom.* 1661: In the thirteenth year of the Reign of Our most Gracious Sovereign Lord CHARLES the Second, by the Grace of God, of *England, Scotland, France, and Ireland* King, Defender of the Faith, &c. And there continued until Fryday the twentieth day of *December*, and from that day adjourned unto the seventh day of *January* then next following; it was Enacted as followeth.

C A P. I.

An Act for the well Governing and Regulating of Corporations.

Preamble.



Whereas questions are likely to arise concerning the validity of Elections of Magistrates, and other Officers and Members in Corporations, as well in respect of removing some, as placing others, during the late troubles, contrary to the true intent and meaning of their Charters and Liberties; And to the end that the succession in such Corporations may be most probably perpetuated in the hands of persons well affected to His Majesty, and the established Government, it being too well known, that notwithstanding all His Majesties endeavours, and unparallel'd Indulgence in Pardoning all that is past, nevertheless many evil spirits are still working.

Commissions  
to issue for  
*England, Wales,*  
and *Berwick.*

Wherefore for prevention of the like mischief for the time to come, and for preservation of the Publick Peace, both in Church and State, Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons assembled in Parliament, and by the Authority of the same, That Commissions shall, before the twentieth day of February next, be issued forth under the Great Seal of England, unto such persons as His Majesty shall appoint for

for the Executing of the Powers and Authorities herein after expressed : And that all and every the persons to be named Commissioners in the said Commissions respectively, shall by vertue of this Act be Commissioners respectively, for and within the severall Cities ; Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-Towns within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, for which they shall be respectively nominated and appointed.

And be it further Enacted by the Authority aforesaid, That no Charter of any Corporation, Cities, Towns, Burroughs, Cinque-ports, and their Members, and other Port-Towns in England or Wales, or Town of Berwick upon Tweed, shall at any time hereafter be avoided, for or by reason of any act or thing done, or omitted to be done, before the first day of this present parliament.

Corporation  
Charters  
saved.

And be it further Enacted by the Authority aforesaid, That all persons, who upon the four and twentieth day of December, One thousand six hundred sixty and one, shall be Mayors, Aldermen, Recorders, Bailiffs, Town-Clerks, Common-Council-men, and other persons then bearing any Office or Offices of Magistracy, or Places, or Trusts, or other Imployment relating to, or concerning the Government of the said respective Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-Towns, shall at any time before the five and twentieth day of March, One thousand six hundred sixty and three, when they shall be thereunto required by the said respective Commissioners, or any three or more of them, taking the Oaths of Allegiance and Supremacy, and this Oath following.

Magistrates  
to take and  
subscribe to  
certain Oaths.

Oaths of Al-  
legiance and  
Supremacy.

**I** A. B. do declare and believe, That it is not lawful, upon any pretence whatsoever, to take Arms against the King ; and that I do abhor that Traiterous Position of taking Arms by His Authority against His Person, or against those that are commissioned by Him : So help me God.

The Oath to  
be taken.

And also at the same time shall publickly subscribe before the said Commissioners, or any Three of them, this following Declaration.

**I** A. B. do declare, That I hold that there lies no Obligation upon me, or any other person, from the Oath commonly called, *The Solemn League and Covenant* ; and that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm, against the known Laws and Liberties of the Kingdom.

The Oath to  
be subscribed.

And that all such of the said Mayors, and other the persons aforesaid, by whom the said Oaths are to be taken, and Declaration subscribed, as aforesaid, who shall refuse to take and subscribe the same within the time, and in manner aforesaid, shall, from and immediately after such refusal, be by the Authority of this Act (ipso facto) removed and displaced of and from the said Offices and Places respectively ; And the said Offices and Places, from and immediately after such refusal, shall be, and are hereby declared and adjudged to be void to all intents and purposes, as if the said respective persons so refusing were naturally dead.

Those who re-  
fuse the Oaths  
removed.

And nevertheless, Be it further Enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall have full power by vertue of this Act, by Order and Warrant under their hands and seals, to displace

Commission-  
ers have  
power to re-  
move any at  
their wills,  
though they  
offer to take  
their Oaths. ]



displace or remove any of the persons aforesaid from the said respective Offices and Places, or Trusts aforesaid, if the said Commissioners, or the major part of them then present, shall deem it expedient for the publique safety, although such persons shall have taken and subscribed, or be willing to take and subscribe the said Oaths and Declaration.

Their power  
to restore any  
Magistrate un-  
duly removed.

And be it also Enacted, That the said respective Commissioners, or any five or more of them, as aforesaid, shall have power to restore such person or persons as have been illegally or unduely removed, into the places out of which he or they were removed, and also to put and place into the Offices and Places, which by any of the ways aforesaid shall be void respectively, some other person or persons then being, or which have been Members or Inhabitants of the said respective Cities, Corporations and Burroughs, and Cinque-Ports, and their Members, and other Port-Towns, who shall before the said respective Commissioners, or any three or more of them, take the said Oaths of Obedience and Supremacy, and the said other Oath, and subscribe the Declaration herein before particularly mentioned, and that the said persons from and after the taking of the said Oaths, and subscribing the said Declaration, shall hold and enjoy, and be vested in the said Places and Offices, as if they had been duely elected and chosen according to the Charters and former usages of the said respective Cities, Corporations and Burroughs, Cinque-Ports, and their Members, and other Port-Towns.

Commis-  
sioners impow-  
ered to give the  
Oaths.

Who shall  
give the Oath  
after the Com-  
missions are  
determined.

And be it further Enacted by the Authority aforesaid, That the said respective Commissioners, or any three or more of them respectively, shall have power during the continuance of their respective Commissions, to administer the Oaths aforesaid, and tender the said Declaration to the said persons hereby required to take and subscribe the same. And from and after the expiration of the said respective Commissions, the said three Oaths and Declarations shall be from time to time administered and tendered to such person and persons, who by the true meaning of this Act, or any Clause therein contained, are to take the same by such person or persons respectively, who by the Charters or Usages of the said respective Cities, Corporations and Burroughs, and Cinque-Ports, and their Members, and other Port-Towns, ought to administer the Oath for due executing the said Places or Offices respectively, and in default of such, by two Justices of the Peace of the said Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-Towns, for the time being, if any such there be, or otherwise by two Justices of the Peace for the time being, of the respective Counties, where the said Cities, Corporations, or Burroughs, or Cinque-ports, or their Members, or other Port-Towns are.

The Commis-  
sioners to  
keep Remem-  
brances.

And give them  
to the Town  
Clerks, &c.

And be it likewise Enacted by the Authority aforesaid, That the said Commissioners, Justices of the Peace, and other persons hereby authorized to administer the said Oaths, and tender the said Declaration respectively, shall cause Memorandums or Entries to be made of all Oaths taken before them, and subscriptions made as aforesaid, and deliver the same once in a year to the respective Town-Clerks, or other Register or Clerk of the said respective Cities, Corporations, and Burroughs, and Cinque-ports, and their Members, and other Port-towns, who shall cause the same to be fairly entered into the Books or Registers belonging to the said respective Cities, Corporations or Burroughs, or Cinque-ports, and their Members, or other Port-towns.

None to be a  
Magistrate un-  
less he take  
the Oaths and  
receive the  
Sacrament.

Provided also, and be it Enacted by the Authority aforesaid, That from and after the expiration of the said Commissions, no person or persons shall for ever hereafter be placed, elected or chosen, in or to any the Offices or Places aforesaid, that shall not have within one year next before such Election, or Choice, taken the Sacrament of the Lords Supper, according to the Rites of the Church of England; and that every such person or persons so placed, elected or chosen, shall likewise take the aforesaid three Oaths, and subscribe the said Declaration.

Declaration at the same time, when the Oath for the due execution of the said Places and Offices respectively shall be administered; And in default hereof, every such placing, election and choice is hereby Enacted and Declared to be void.

Provided alwaies, and be it Enacted, That every person who shall be placed in any Corporation by vertue of this Act, shall upon his admission, take the Oath or Oaths usually taken by the Members of such Corporation.

The usual Oath.

Provided also, and be it hereby Enacted, That the Powers granted to the Commissioners by vertue of this Act, shall continue and be in force until the five and twentieth of March, One thousand six hundred sixty and three, and no longer.

How long the Commissioners power shall continue.

Provided, That if any Action, Bill, Plaint, or Suit shall at any time hereafter happen to be brought or commenced against any person or persons nominated a Commissioner, as aforesaid, for any matter or thing by them or any of them, done by vertue, or in pursuance of this Act, That then it shall be lawful to and for every such person and persons against whom such Action, Bill, Plaint, or Suit shall be brought or commenced, to plead the General Issue, and to give this Act, or any other special matter in Evidence; And if the Verdict shall pass with the Defendant or Defendants in any such Action; or the Plaintiff or Plaintiffs become Non-suit, or suffer any discontinuance thereof, That in every such case the Judge or Judges before whom the said matter shall be tried, or be depending, shall by force and vertue of this Act, allow unto the Defendant or Defendants, his or their treble Costs, which he or they shall have sustained by reason of their wrongful veration in defence of the said Action or Suit, for which the said Defendant or Defendants shall have like remedy as in other cases, where Costs by the Laws of this Realm are given to the Defendants.

Commissioners sued may plead the general issue, and recover treble costs.

Provided alwaies, and it is hereby Declared, That this Act or any thing therein contained, shall not extend or be to the prejudice of any person or persons whatsoever, that hath any Reversion or Reversions of any the Offices or Places belonging to the City of London, by force or vertue of any Order, Grant, Designation or Nomination of the Lord Mayor and Court of Aldermen of the said City heretofore respectively made or granted to him or them before the times of the late Wars, for or in respect of such Grant, Designation, or Nomination onely; Any thing in this Act to the contrary notwithstanding.

Reversions of Offices in London saved.

## C A P. II.

An Act for preventing of Vexations and Oppressions by Arrests, and of Delays in Suits of Law.

**V**hereas by the Ancient and Fundamental Laws of this Realm, in case where any person is Sued, Impleaded, or Arrested, by any Writ, Bill, or Process, issuing out of any His Majesties Courts of Records at Westminster, in any Common Plea, at the Suit of any common person, the true cause of Action ought to be set forth and particularly expressed, in such Writ, Bill, or Process, whereby the Defendant may have certain knowledge of the cause of the Suit, and the Officer who shall execute such Writ, Bill, or Process, may know how to take Security for the Apparance of the Defendant to the same, and the Sureties for such Apparances, may rightly understand for what cause they become engaged; And whereas there is a great complaint of the people of this Realm, that for divers years now last past, very many of His Majesties good Subjects have been Arrested upon general Writs of trespasss quare clausum fregit, Bills of Middlesex, Latitars, and other like Writs issued out of the Courts of Kings Bench and Common Pleas, not expressing any particular or certain cause of Action, and thereupon kept

Preamble.

Grievances.



kept prisoners for a long time for want of Bail; Bonds, with Sureties for Apppearances having been demanded in so great sums, that few or none have dared to be Security for the Apppearances of such persons so Arrested and Imprisoned, although in truth there hath been little or no cause of Action, and often times there are no such persons who were named Plaintiffs, but those Arrests have been, many times, procured by malicious persons, to vex and oppress the Defendants, or to force from them unreasonable and unjust Compositions for obtaining their Liberty; And by such evil practices, many men have been, and are daily undone and destroyed in their Estates, without possibility of having Reparation: The Actors imployed in such practices having been (for the most part) poor and lurking persons, and their doings so secret, that it hath been found very difficult to make true discoveries or proof thereof.

No person arrested compellable to give greater bond of apperance then 40l unless the true cause of Action be put in the Writ.

For remedy and prevention of which, so great growing evils and mischiefs, and also for discouraging all frivolous and unjust Suits and causeless Arrests for the future; Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That from and after the Twelfth day of February in the year of our Lord, One thousand six hundred sixty and one, no person or persons, who shall happen to be Arrested by any Sheriff, Under-Sheriff, Coroner, Steward, or Bailiff, of any Franchise or Liberty, or by any other Officer, Minister, Under-bailiff, or other person or persons whatsoever within this Realm, having or pretending to have, Authority or Warrant in that behalf, by force or colour of any Writ, Bill, or Process issuing, or to be issuing out of His Majesties said Courts of Kings Bench, and Common Pleas, or either of them, in which said Writ, Bill, or Process, the certainty and true cause of Action is not expressed particularly, and for which the Defendant, or Defendants, in such Writ, Bill, or Process named, is and areailable by the Statute in that behalf, made in the Three and twentieth year of the Reign of the late King Henry the Sixth, shall be forced or compelled to give Security, or to enter into Bond with Sureties, for the Apppearances of such person or persons so Arrested, at the day and place in the said Writ, Bill, or Process, specified or contained in any penalty or sum or sums of money, exceeding the sum of Forty pounds of lawful money of England, to be conditioned for such Apppearances; And that all Sheriffs and other Officers and Ministers aforesaid shall let to Bail, and deliver out of Prison, and from their and every of their Custodies respectively, all and every person and persons whatsoever, by them, or any of them, Arrested, upon any such Writ, Bill, or Process, wherein the certainty and true cause of Action is not particularly expressed, upon Security in the sum of Forty pounds, and no more, given for Apppearance of such person or persons so Arrested, unto the said Sheriff or Officer aforesaid, according to the said Statute in the said three and twentieth year of the Reign of the said late King Henry the Sixth, in that behalf made and provided.

Sheriffs enjoined to accept of such Bond.

Stat. 23. H. 6. cap. 10.

Upon apperance in Court such Bonds and all Amerciaments are discharged.

Non-suit and Coits for want of Declaring.

And be it further Enacted by the Authority aforesaid, that upon Apperance to be Entred in the Term, wherein such Writ, Bill, or Process, is Returnable with the respective Officer in that behalf, for the said person or persons, by Attorney or Attorneys in the said respective Courts, from whence the said Writ, Bill, or Process issued, unto such Writ, Bill, or Process, the Bond or Bonds so given for Apperance thereunto, be and are hereby Satisfied and Discharged: And that after such Apperance so Entred, no Amerciaments be set or Estreted upon or against any Sheriff or other Officer aforesaid, or any other person whatsoever, concerning the want of such Apperance; and unless the Plaintiff or Plaintiffs in any such Writ, Bill, or Process named, shall put into the Court from whence such Writ, Bill, or Process did issue, his or their Bill, or Declaration against the person or persons so Arrested in some personal Action, or Ejectione firmæ of Lands or Tenements, before the end of the Term next following after Apperance, that then a Non-suit for want of a Declaration, may be Entred against the said Plaintiff or Plaintiffs, in the said Courts respectively; And that every Defendant

Defendant in every such Writ, Bill, or Process named, shall or may have Judgment to recover Costs against every such Plaintiff or Plaintiffs, to be Assessed, Taxed, and Levied in such manner, and according as it is provided by the Statute for Costs, made in the three and twentieth year of the Reign of the late King Henry the Eighth, any former or other Act, Statute, Ordinance, Law, Custom, Order, Course, or Usage of either of the said Courts to the contrary thereof, heretofore had, made, admitted, or used in any wise notwithstanding.

Stat. 23. H. 8.  
cap. 15.

Provided alwaies that this Act, nor any Clause or thing herein before specified or contained, shall not extend, nor be construed or taken to extend unto any Arrests hereafter to be made, upon or by Vertue of any Writ of Capias ut lagatum, Attachment upon Rescous, or Attachment upon any Contempt, or of any Attachment of Priviledge, at the Suit of any priviledged person, or of any other Attachment for Contempt whatsoever, issuing or to be issuing out of either of the said Courts, although there be no particular certainty of the cause of Action expressed or contained in the said Writs; But that nevertheless no Sheriff, nor Under-Sheriff, nor any of the Officers, or Ministers aforesaid, shall Discharge any person or persons, taken upon any Writ of Capias ut lagatum, out of Custody, without a lawful Superedeas, first had and received for the same; and that upon the said Writs of Attachment, such lawful course be taken for Security for Apparance therein, as hath been heretofore used, any thing herein before expressed to the contrary thereof, in any wise notwithstanding.

Certain Processes not within this Act.

And whereas many persons out of ill intent, to delay their Creditors from recovering their just Debts, continue Prisoners in the Fleet, who cannot be proceeded against in such manner as they might be, if they were at Large: Now for the better enabling all persons, to recover their just Debts and Demands against such Prisoners, Be it further Enacted by the Authority aforesaid, That every person or persons whatsoever, who now hath or have, or which at any time hereafter, shall have cause of any personal Action, against any person being a Prisoner in the Prison of the Fleet, may Sue forth an Original Writ, upon his or their cause of Action, And that a Writ of Habeas Corpus, be granted to every such person or persons, being Plaintiff or Plaintiffs, desiring the same to be directed to the Warden of the same Prison, to have the Body of such Prisoner before the Justices of the Common Pleas at some certain day in any Term, to answer the said Plaintiff or Plaintiffs, upon his or their said Cause of Action, And that if the said Plaintiff or Plaintiffs at the said day, put into the said Court his or their Declaration, according to the said Original Writ against the said prisoner being present at the Bar, the said Prisoner shall be bound to appear in person, or to put in an Attorney to appear for him in the said Action; And unless the said Defendant plead upon a Rule given to be out at Eight daies at the least after such Apparance, Judgment by Nihil dicit may be Entred against such Defendant, as appearing in Person, which shall be good and effectual in Law; And such charge in Court by Declarations, signified by Rule unto the said Warden, shall be a good cause of detention of such prisoner in his Custody, from which he shall not be discharged without a lawful Superedeas or Rule of Court; and if the said Warden shall do otherwise, he shall be responsible to the Court, and to the party grieved for Damages, by Action upon the Case, to be brought against him for discharging such prisoner.

How Prisoners in the Fleet shall be sued to judgment in the common Bench.

And whereas very many Suits Commenced by Original Writs, have been protracted and long delayed from Judgment and Execution, by reason of the necessity of having Fifteen daies at the least, between the daies of the Teste, and the daies of Return of Writs now used in personal Actions, and also in Actions of Ejectione firmæ, for Lands and Tenements; For remedy thereof, and for the more easie expediting Tryals, and the better and more speedy Executing of Judgments for the time to come; Be it further Enacted by the Authority aforesaid, That in all Actions of Debt, and all other

Certain Judicial Writs shall be good, though there be not Fifteen daies between the Teste and Return.

A

personal



personal Actions whatsoever, & also in all Actions of Ejectione firmæ, for Lands or Tenements now Depending, or which at any time hereafter shall be depending by Original Writ, in either of his Majesties Courts aforesaid, after any issue therein joyned to be tryed by a Jury, and also after any Judgment had or obtained, or to be had or obtained in either of the Courts aforesaid, in any such Action as aforesaid, There shall not need to be fifteen daies between the Teste day and the day of Return of any Writ, or Writs of Venire facias, Habeas Corpora Juratorum, or Distringas Juratores, Writs of Fieri facias, or Writs of Capias ad satisfaciendum, And that the want of fifteen daies between the Teste day, and the day of Return of any such Writ, shall not be, nor shall be assigned, taken or adjudged to be any matter or cause of Error, any Law, Custome, Statute, Course, or Usage to the contrary thereof in any wise notwithstanding.

This Act not to extend to process to Ur-lary or against the Bail.

St. 3. Jac. cap. 8 Recited.

Provided nevertheless, that this Act nor any thing therein contained, shall not Extend, or be construed to extend to any Writ of Capias ad Satisfaciendum, whereon a Writ of Exigent after Judgment is to be Awarded, nor to Capias ad Satisfaciendum against the Defendant, in Order to make any Bail liable, But that the same continue, and be as if this Act had never been made.

And whereas by an Act of Parliament made in the third year of the Reign of our late Sovereign Lord King James of blessed memory, a very good Law was made for avoiding unnecessary delays of Execution, whereby it is Enacted, That no Execution shall be stayed or delayed upon or by any Writ of Error, or Superfedeas thereupon to be Sued for the Reversing of any Judgment to be given in any Action, or Bill of Debt, upon any single Bond for Debt, or upon any Obligation with Condition for payment of money onely, or upon any Action, or Bill of Debt for Rent, or upon any Contract sued in any of his Highness Courts of Record at Westminster, or in the Counties Palatine of Chester, Lancaster, or Durham, or in his Highness Courts of Great Sessions in any of the Twelve Shires of Wales, unless such person or persons, in whose name or names such Writ of Error shall be brought, with two sufficient Sureties, such as the Court wherein such Judgment is or shall be given, shall allow of, shall first before such stay made, or Superfedeas to be Awarded, be bound to the party for whom any such Judgment was or should be given, by Recognizance to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said former Judgment, to prosecute the said Writ of Error with effect, and also to satisfy and pay (if the said Judgment shall be affirmed) all and singular the Debts, Damages, and Costs adjudged, or to be adjudged upon the former Judgment; And all Costs and Damages to be also Awarded for the same delaying of Execution, which Law hath been found by experience to be very good and beneficial to the Common-wealth, And forasmuch as divers other Cases within the same mischief, by delays and staying of Execution by Writs of Error and Superfedeas thereupon, are not provided for by the said Statute; For further Remedy against delays and staying of Executions, in the several Actions hereafter specified.

In Actions of Debt for Tithes, Trover, Covenant, Detinue, and Trespass, no Execution shall by Writ of Error, unless Bail, &c. 16, 17. Car. 2. cap. 8.

Double costs if the Judgment be affirmed.

Be it further Enacted and Ordained by the Authority aforesaid, That from and after the twentieth day of January in the year of our Lord, One thousand six hundred sixty and one, no Execution shall be stayed in any of the Courts aforesaid, by any Writ or Writs of Error, or Superfedeas thereupon, after any Verdict and Judgment thereupon obtained, in any Action of Debt, grounded upon the Statute made in the second year of the Reign of the late King Edward the Sixth, for not setting forth of Tithes, nor in any Action upon the case, upon any promise for payment of money, Actions for Trover, Actions of Covenant, Detinue, and Trespass, unless such Recognizance, and in such manner as by the said recited former Act is directed, shall be first acknowledged in the said Court where such Judgment is given.

And be it also Enacted by the Authority aforesaid, That if any person or persons after the said day, shall sue or prosecute any Writ or Writs of Error, for Revers.

Reversal of any Judgment whatsoever given after any Verdict, in any of the Courts aforesaid, and the said Judgment shall afterwards be affirmed, then every such person or persons, shall pay unto the Defendant or Defendants in the said Writ or Writs of Error, his or their double Costs to be Assessed by the Court where such Writ of Error shall be depending, for the delaying of Execution.

Provided nevertheless, That this Act nor any thing therein contained, shall not extend to any Action Popular, nor unto any other Action, which is, or hereafter shall be brought upon any penal Law or Statute (except Debt for not setting out Tithes as aforesaid) nor to any Indictment, Presentment, Inquisition, Information, or Appeal, any thing herein before expressed to the contrary thereof notwithstanding.

This Act not  
to extend to  
any Popular  
Action, In-  
dictment, &c.

## C A P. III.

An Act for granting unto the Kings Majesty Twelve hundred and threescore thousand pounds, to be Assessed and Levied by an Assessment of Threescore and ten thousand pounds by the Moneth for Eighteen Moneths.  
EXP.

## C A P. IV.

An Act to enable the Kings Majesty to make Leases, Grants, and Copies of Offices, Lands, Tenements, and Hereditaments, parcel of his Highness Dutchy of Cornwall, or annexed to the same; and for Confirmation of Leases and Grants already made.

**V**hereas a great part of the Lands, part of, and annexed to the Dutchy of Cornwall, have been held by sundry Leases thereof made, for years, and for one, two, and three Lives, by means whereof, the Tenants having fixed Estates, have been encouraged to improve and manure the same, and have improved the same, and therein laid out great sums of money in building and otherwise, to the great advantage of the Publick; And whereas for Twenty years and more, now last past, no such Leases have been legally made; so that it is probable most of the Tenants Estates will be determined, or near determination, ere that there can be any Estates well and legally renewed, unless remedy thereto be provided; by means whereof, Waste, Spoil, and Dilapidation, are likely to happen, the Lands worn out and decayed, and great Disturbance and Impoverishment to the Tenants;

Preamble.

Grievance.

And whereas on the like consideration, King Charles the First was by special Law, enabled to make such Leases, Be it Enacted by our Sovereign Lord the King, by, and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That all Leases or Grants already made, or hereafter to be made within the space of Three years now next ensuing by our said Sovereign Lord the King, by Letters Patents, Indentures, or other Writings, under His Great Seal of England, or Seal of the Court of Exchequer, or by Copy of Court-Roll, according to the Customs of the respective Mannors, of any Offices, Parks, Lands, Tenements, or Hereditaments (other then Honors, Lordships, or Mannors) parcel of the Possessions of the said Dutchy of Cornwall, or annexed to the same, shall be good and effectual in Law, according to the purport and contents of the said Leases, Grants, and Copies, against our said Sovereign Lord the Kings Majesty, His Heirs, and Successors, and against all and every person or persons, that shall hereafter have, inherit, or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatsoever.

Certain Leases  
made within  
three years by  
the King, shall  
be good.



Under these  
Provisoes.

Provided alwaies, that every such Lease so to be made of any Parks, Lands, Tenements, or Hereditaments in possession, shall be made but for three lives or fewer, or for One and thirty years or under, or some other term of years determinable upon one, two, or three Lives, and not above; And if such Leases be made in Reversion, that then the same, together with the Estates in possession, do not exceed three Lives, or the term of One and thirty years, and not in any wise punishable of Waste, and so, as upon every such Lease, shall be reserved the ancient or most usual Rent, or more, or such Rent as hath been yielded or paid, for the greater part of twenty years, next before the making of the said Leases, and shall be reserved due and payable, by, or to him, or her that shall have the Inheritance, or other Estate of the said Parks, Lands, Tenements, or Hereditaments; and where no such Rent hath been reserved or payable, that then upon every such Lease, there shall be reserved a reasonable Rent, not being under the fourth part of the clear yearly value of the Parks, Lands, Tenements, or Hereditaments, contained in such Lease.

All Cove-  
nants, Condi-  
tions, &c. in  
such Leases,  
&c. shall be  
good.

And be it further Ordained and Enacted by Authority of this present Parliament, that all Covenants, Conditions, and Reservations, and other Agreements contained in every Lease, Grant, or Copy heretofore made, or hereafter so to be made as aforesaid, shall be good and effectual in Law, according to the words and contents of the same, as well for, and against them, to whom the Reversion of the same Lands, Tenements, or Hereditaments shall come, as for and against them, to whom the Interest of the said Leases, Grants, or Copies, shall come respectively, as if our Sovereign Lord the Kings Majesty at the time of the making of such Covenants, Conditions, and Reservations, and other Agreements were seised of an absolute Indefeasible Estate in Fee-simple in the same Lands, Tenements, or Hereditaments, Saving alwaies to all and every person and persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators, and Assigns (other then our said Sovereign Lord the Kings Majesty, and his Heirs, and all and every person and persons that shall hereafter have, inherit, or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatsoever) all such Rights, Titles, Estates, Customs, Interests, Terms, Claims, and Demands whatsoever, of what kinde, nature, or quality whatsoever, or in, to, or out of the said Offices, Lands, Tenements, or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purposes, and in as large and ample manner and form, as if this Act had never been had or made; this Act or any thing therein contained to the contrary notwithstanding.

Saving Sub-  
jects rights.

ANNO



ANNO REGNI  
CAROLI II.  
REGIS

*Angliae, Scotiae, Franciae, & Hiberniae,*  
DECIMO QUARTO.

At the Session of the same Parliament held at *Westminster* by Prorogation the Eighteenth day of *February*, 1661. And in the fourteenth year of the Reign of Our Sovereign Lord King CHARLES the Second, &c. Defender of the Faith, &c. It was Enacted as followeth.

C A P. I.

An Act for preventing the Mischiefs and Dangers that may arise by certain persons called Quakers, and others, refusing to take lawful Oaths.



Whereas of late times certain persons under the names of Quakers, and other names of Separation, have taken up, and maintained sundry dangerous Opinions and Tenents, and (amongst others) that the taking of an Oath in any case whatsoever, although before a lawful Magistrate, is altogether unlawful and contrary to the Word of God; and the said persons do daily refuse to take an Oath, though lawfully tendered,

Preamble.

whereby it often happens that the Truth is wholly suppressed, and the Administration of Justice much obstructed; And whereas the said persons under a pretence of Religious Worship do often assemble themselves in great numbers in several parts of this Realm, to the great endangering of the Publick Peace and Safety, and to the terror of the People, by maintaining a secret and strict correspondence amongst themselves; and in the mean time separating and dividing themselves from the rest of his Majesties good and loyal Subjects, and from the Publick Congregations, and usual places of Divine Worship.

Grievance.

For the redressing therefore, and better preventing the many Mischiefs and Dangers that do and may arise by such dangerous Tenents, and such unlawful Assemblies; Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons

Penalty for refusing to take legal Oaths.



Quakers assembling upon  
pretence of di-  
vine Worship.

First offence.

Second offence.

Third offence.

Justices of  
Peace to hear  
and determine  
these offences.

They may  
bind over to  
the Sessions.

How one con-  
victed may be  
acquitted.

Commons assembled in Parliament, and by Authority of the same, That if any person or persons who maintain that the taking of an Oath in any case whatsoever (although before a lawful Magistrate) is altogether unlawful, and contrary to the Word of God, from and after the four and twentieth day of March, in this present year of our Lord, One thousand six hundred sixty and one, shall wilfully and obstinately refuse to take an Oath, where, by the Laws of the Realm, he or she is, or shall be bound to take the same; being lawfully and duly tendered, or shall endeavour to persuade any other person, to whom any such Oath shall in like manner be duly and lawfully tendered, to refuse, and forbear the taking of the same, or shall by Printing, Writing, or otherwise, go about to maintain and defend that the taking of an Oath in any case whatsoever, is altogether unlawful; And if the said persons, commonly called Quakers, shall at any time after the said four and twentieth day of March, depart from the places of their several habitations, and assemble themselves to the number of five, or more, of the age of sixteen years or upwards, at any one time, in any place, under pretence of joyning in a Religious Worship, not Authorized by the Laws of this Realm, that then in all and every such cases, the party so offending, being thereof lawfully convicted, by verdict of twelve men, or by his own confession, or by the notorious evidence of the fact, shall lose and forfeit to the Kings Majesty, His Heirs and Successors, for the first offence, such sum as shall be imposed upon him or her, not exceeding five pounds; And if any person or persons, being once convicted of any such offence, shall again offend therein, and shall in form aforesaid, be thereof lawfully convicted, shall for the second offence forfeit to the King our Sovereign Lord, His Heirs and Successors, such sum as shall be imposed upon him or her, not exceeding ten pounds: The said respective penalties to be levied by distress and sale of the parties goods so convicted, by warrant of the parties before whom they shall be so convicted, rendering the overplus to the owners, if any be: and for want of such distress, or non-payment of the said penalty, within one week after such conviction, that then the said parties so convicted, shall for the first offence be committed to the common Goal, or house of Correction, for the space of three moneths; and for the second offence during six moneths, without Bail or Mainprize, there to be kept at hard labour: which said moneys to be so levied, shall be paid to such person or persons, as shall be appointed by those before whom they shall be convicted, to be employed for the increase of the stock of the house of Correction, to which they shall be committed, and providing materials to set them on work. And if any person after he, in form aforesaid, hath been twice convicted of any of the said offences, shall offend the third time, and be thereof in form aforesaid lawfully convicted, that then every person so offending and convicted, shall for his or her third offence abjure the Realm, or otherwise it shall and may be lawful to and for His Majesty, His Heirs and Successors, to give order, and to cause him, her, or them, to be transported in any Ship or Ships, to any of His Majesties Plantations beyond the Seas.

And it is Ordained and Enacted by the Authority aforesaid, That all and every Justice of Oyer and Terminer, Justices of Assize, and Goal-delivery, and the Justices of the Peace shall have full power and authority in every of their open and general Sessions, to enquire, hear, and determine all and every the said Offences, within the limits of their Commission, to them directed, and to make Process for the execution of the same, as they may do against any person being indicted before them of Treasons, or lawfully convicted thereof.

And be it also Enacted, That it shall and may be lawful to, and for any Justice of Peace, Mayor, or other chief Officer of any Corporation, within their several Jurisdictions, to commit to the Common Goal, or bind over with sufficient Sureties to the Quarter Sessions, any person or persons offending in the Premises, in order to his or their conviction aforesaid.

Provided alwaies, and be it hereby further Enacted, That if any of the said persons, shall after such conviction as aforesaid, take such Oath or Oaths, for which

which he or she stands committed, and also give security, that he or she shall for the time to come, forbear to meet in any such unlawful Assembly, as aforesaid, that then, and from thenceforth such person and persons, shall be discharged from all the penalties aforesaid; Any thing in this Act to the contrary notwithstanding.

Provided alwaies, and be it ordained and Enacted by the Authority aforesaid, That all and singular Lords of the Parliament, for every third offence committed against the tenor of this Act, shall be tried by their Peers, and not otherwise, 16. Car. 2. cap. 4.

Lords tried  
by Peers.

## C A P. II.

An Act for repairing the High-waies and Sewers, and for paving and keeping clean the Streets, in and about the Cities of *London* and *Westminster*, and for reforming of Annoyances and Disorders in the Streets of, and places adjacent to the said Cities; and for the Regulating and Licensing of Hackney Coaches; and for the enlarging of several streight and inconvenient Streets and Passages.

As much as the Common High-waies leading unto, and from the Cities of *London* and *Westminster*, and the Suburbs thereof, and other places within the present weekly Bills of Mortality, by reason of the multitude of Houses lately built, and through the stopping and filling up the Ditches and Sewers, and neglect of timely Reparations, are at present, and for some years past have been so dirty and foul, and is not only very noisom, dangerous, and inconvenient to the Inhabitants thereabouts, but to all the Kings Liege people, riding and travelling to and from the said Cities; May it therefore please your most Excellent Majesty, that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That for the Surveying, ordering, and managing of the said High-waies, Streets, Allies, and other passages within the said Cities and places aforesaid, and all things necessary for the Repairing, Paving, or keeping clean thereof, there be from henceforward Commissioners to be nominated by His Majesty, under the Great Seal of England, not exceeding the number of one and twenty, besides such other Commissioners as are by this Act nominated and appointed (whereof the Surveyor of His Majesties Works for the time being to be alwaies one) that shall have their place of meeting, at the Office of His Majesties works in Scotland-yard, or at some other place, as they, or the greater number of them, at any meeting shall direct from time to time, as there shall be occasion; which said Commissioners, or any five or more of them, at their meeting as aforesaid, shall have full power and authority, to order and direct the making of any new Vaults or Sewers, or to cut into any Dren or Sewer already made, or the altering, enlarging, amending, cleansing, or scouring of any old Vaults, Sinks, or Common Sewers, or for the making, amending, or altering of any new or old pavements, or taking away of cross Cutters or Channels, in all or any of the streets and places aforesaid, and for the removing of all kind of Nuisances, or any encroachment by Sheds, Stalls, Bulks, Stoops, Posts, or Wall beyond the old Foundations into the Streets, in such places which shall be adjudged inconvenient, and to hinder the passage; Provided, that such incroachments as are aforesaid, which are Nuisances, that have continued above thirty years last past, shall not be removed untill reasonable satisfaction shall be given by the said Commissioners, to the party or parties that shall suffer thereby. And if any person or persons that own the said Incroachments, or shall not except of such reasonable satisfaction as shall be tendered or offered by the said Commissioners appointed for the streets, for the pulling down or removing such Nuisances

Preamble.

Commissioners to be made by the King.

Power to make new Sewers and Vaults.

Stalls, Bulks, Posts.

Old incroachments must be satisfied for, before removed.



Nuisances or Incroachments as have been continued before the time aforesaid; That then, and in such cases of refusal, the Barons of the Exchequer, upon a Petition preferred to them by the party grieved, shall have power, and are required by this Act to adjudge what satisfaction shall be fit for the said person or persons to receive for the removing or pulling down any such Nuisances or Incroachments.

Nuisances in  
streets remo-  
ved.

And to prevent for the future all manner of Timber, and other irregular Buildings, the said Commissioners, or any five or more of them, are hereby impowred to take a view of all such Nuisances or Incroachments, and irregular Buildings, which said view shall be a good conviction in Law; and every person or persons having notice of the said view or conviction, and shall not remove or take down such Nuisances or Incroachments within one moneth after notice, shall forfeit forty shillings for every moneth the said Nuisances or Incroachments shall afterwards continue.

Several new  
streets to be  
paved.

And whereas the common High-waies, and new built Streets hereafter mentioned, are thought fit immediately to be repaired, new paved, or otherwise amended; namely, the street or way from the end of Petty France to St. James House, and one other street from St. James House up to the High-way, and one other street in St. James Fields, commonly called the Pall-mall; and also one other street beginning from the Mews up to Pickadilly, and from thence towards the Stone-bridge, to the furthestmost building near the Bull at the corner of Air street: Be it therefore Enacted, That all and every person and persons, owners or inhabitants of all and every the Houses built upon, or adjoining to the said waies or streets, so adjudged and thought fit to be paved and repaired, shall according to their several Interests and Estates, and in such proportions as the said Commissioners, or any five of them, shall think fit, before the first day of May, One thousand six hundred sixty two, pay unto the said Commissioners, or any five or more of them, so met as aforesaid, which shall be nominated for the paving of the said waies, or to such person or persons as they shall appoint, such sum and sums of money towards the paving of the said streets or waies, and for the buying of new stones and gravel, as shall amount to their several proportions, after the rate of sixteen pence for every square yard which the ground shall contain, that lies in front before every dwelling House, Pards, or Gardens belonging to the said dwelling House; and in the same breadth, extending to the middle of the High-way or street which lies before the said Houses, Pards, or Gardens belonging to the said dwelling Houses respectively.

At whose  
charges the  
Commissioners  
shall  
judge.

Hackney-  
Coaches must  
be licenced.

And for the better preserving of the said streets, and for defraying of the residue of the charge of the said Pavements. Be it further Enacted, That from and after the first day of May, One thousand six hundred sixty and two, no person or persons shall presume to drive (excepting Stage-Coaches) or let to hire by the hour or day, or otherwise, any Hackney-Coach or Coach-Horses, within the Cities of London and Westminster, or Suburbs of the same, or within the Parishes comprised within the Bills of Mortality, without an especial leave or licence from such Commissioners as His Majesty shall appoint under the Great Seal, for the Licensing and Regulating of Hackney-Coaches, according to the particular provisions and limitations of this Bill; and that no Horse, Gelding, or Mare, to be used with such Coaches, shall be under the Size of fourteen hands high according to the Standard, and that the number to be licenced, shall not exceed four hundred; and that every Coach so licenced, shall have a mark of distinction by figure or otherwise, as the Commissioners shall think fit, to the end they may be known, if any complaint shall be made of them. And that no person shall be licenced to keep more than two Coaches, which Coaches shall have every of them several figures or marks of distinction in the same manner, as if belonging to several persons; and that no person shall presume to put the same figure or mark of distinction upon his Coach, that is appointed for any other Coach, under the forfeiture of five pounds for every such offence,

Hackney  
Coach horses.

But four hun-  
dred Hackney  
Coaches.  
Marked.

None to keep  
above two  
Coaches.

offence, one moiety whereof shall be to the Informer, and the other moiety to be paid to the Commissioners that shall be appointed for the paving and amending the streets.

And the said Commissioners for the licensing and regulating of Coaches, are to take especial care, not to licence any person to drive or keep any Hackney Coach or Coach-Horses, that useth any other trade or occupation; and in the first place to license all such persons, as have been ancient Coachmen, or such Coachmen as have suffered for their service and affections to His late Majesty, or His Majesty that now is, or the widow or widows of any of them, that have Coaches of their own.

The present Coachmen to be preferred.

And in case the said Commissioners shall licence more then the said number of four hundred Coaches, every of the said Commissioners so licensing, shall forfeit the sum of one hundred pounds, for every such Coach so licensed above the said number, whereof twenty pounds to the Informer, & the residue to be for the repairing and paving the waies and streets, to be levied by distress, by warrant under the Hands and Seals of five or more of the other Commissioners, that shall be appointed for the paving and mending of the Streets and High-waies.

Penalty of the Commissioners licensing above four hundred.

And be it further Enacted by the Authority aforesaid, That no Hackney Coachman so licensed, shall presume to take for his hire in or about the Cities of London and Westminster, above the rate of ten shillings for a day, reckoning twelve hours to the day, and by the hour not above eighteen pence for the first hour, and twelve pence for every hour after, and that no Gentleman, or other person, shall pay from any of the Inns of Court, or thereabouts to any part of St. James, or City of Westminster (except beyond Tuttle-street, above twelve pence, and the same prices from the same places to the Inns of Court or places thereabouts, and from any of the said Inns of Court, or thereabouts, to the Royal Exchange twelve pence, and if to the Tower of London, or to Bishopsgate or Aldgate, or thereabouts, eighteen pence, and so from the same places to the said Inns of Court as aforesaid, and the like rates from and to any place at the like distance with the places before mentioned. And if any Coachman shall refuse to go at, or shall exact more for his hire, then the several Rates hereby limited, he shall for every such offence forfeit the sum of ten shillings.

The Rates of Coach hire.

And be it further Enacted, That every Coach so licensed as aforesaid, shall pay to the Commissioners that shall be appointed for the Regulating and Licensing of Hackney-Coaches the yearly Rent of five pounds, and no more, whereof fifty shillings shall be paid at or before the twenty fifth day of May, One thousand six hundred sixty and two, and the sum of five and twenty shillings at or upon the feast day of St. Michael the Arch-angel next coming, and twenty five shillings at the Feast of the Nativity of our Lord Christ; and from hence forward to be paid Quarterly at the four most usual Feasts of the year, by equal portions (that is to say) at the Annunciation of the blessed Virgin, St. John the Baptist, St. Michael the Arch-angel, and the Nativity of our Lord Christ; which said sum and sums of money, the said Commissioners for the Hackney-Coaches shall from time to time, pay, or cause to be paid to the Commissioners appointed for the paving and amending of the Streets and High-waies, with in this Bill contained, or to such Treasurer or Receiver, as they shall appoint; and the said Commissioners for Hackney-Coaches, shall likewise from time to time, certify to the Commissioners appointed for the Paving of the Streets and High-waies, the names and dwellings of all such persons, as they shall licence to drive or keep Hackney-Coaches, together with the several figures or marks of distinction, which are appointed to belong and be affixed to the several Coaches, to the intent that discovery may the better be made of any abuses that shall be committed, if any shall presume to affix the figure or mark of distinction to any Coach, which belong of right to another, and whereby the Commissioners for the paving and amending the Streets and High-waies, shall be enabled to call the said Commissioners for the Hackney-Coaches to a true and due account: And in case any overplus shall be of the moneys appointed by

Every Coach to pay five pounds per an.

The money to go to amend the waies.

The number and marks of Coaches to be given to the Commissioners of the waies.

How the overplus shall be employed.

£

this



this Act to be raised for the paving and mending the Waies and Streets as aforesaid, then such overplus shall be employed towards the enlargement of such Streets or places as are to be enlarged by vertue of this Act.

Cart loads of  
hay and straw  
to pay a toll.

And be it further Enacted by the Authority aforesaid, That every load of Hay, which from the first day of May, One thousand six hundred sixty and two, shall be brought and stand to be sold upon any the waies hereby in this Act expressed, and adjudged fit to be new paved, shall pay six-pence for every load; and likewise every Cart of Straw to be sold in the said places, shall after the said day pay two pence, which said sums shall be paid to the Commissioners, which shall be appointed for the paving and amending the High-waies and Streets, or such as they shall appoint, for and towards the paving of the streets and high-waies.

Distress for the  
Rents and  
Forfeitures.

And be it further Enacted by the Authority aforesaid, That all Fines, Rents, Forfeitures, and Penalties, as shall grow due and payable to the said Commissioners by this Act, shall be levied by distress upon the Goods and Chattels of the Offender or Offenders, by warrant under the Hands and Seals of the Commissioners, or any five or more of them, which shall be appointed by His Majesty, which shall be sold within fourteen daies, and the overplus returned to the owner; and in default of distress or not payment, the person or persons so offending, or neglecting to pay, shall lie in Prison without Bail or Mainprize, till he or they have paid such Rent, Fine, Forfeiture, and Penalty as was due from him or them.

Officers cho-  
sen by the  
Commis-  
sioners.

Scavengers.

And the said Commissioners for the Streets and Waies, or any five or more of them so met as aforesaid, are hereby impowred to appoint a Treasurer, or Collector and Clerk to attend them, or such other Officer or Officers, as they shall find necessary for the carrying on of the said Service, with such moderate allowances as shall be fit: and in case any person shall propose to carry away the ashes, dirt, and other filth, for all or any the places aforesaid, at less rates than the yearly Baker or Undertaker can or will perform the same, the said Commissioners shall have power, and are hereby authorized to contract with such person, and for such term as they shall think fit; and they are also to require an accompt from time to time of all Scavengers within the said places, and all other person or persons that shall receive or disburse any moneys for the purposes in this Bill contained, as often as they, or any five or more of them, so met as aforesaid, shall think fitting and necessary, and shall hear and determine all Disputes and Differences concerning the right and duty of paving and keeping clean any of the Streets, Lanes, or Alleys, or publike Pards within the places aforesaid.

Scavengers  
may make use  
of private  
Wharfs.

Provided alwaies, That the respective Scavengers, Bakers, or other Undertakers, shall have liberty by the approbation of the said Commissioners, or any five or more of them, so met as aforesaid, to lodge their Ashes, Dust, Dirt, or other filth, in such vacant publick places, in or near the Streets or High-waies, as shall be thought convenient by the said Commissioners, for the accommodating of Country Carts returning empty: And the said Scavengers, Bakers, or other Undertakers, shall have liberty to pass through such Wharfs, Docks, or Pards, with their Ashes, Dust, Dirt, &c. as shall be judged by the Commissioners to be most commodious for the carrying the same by water, they giving satisfaction to the owners or occupiers of such Wharfs or Pards; and in case of unreasonable Demands, the said Commissioners shall hear, moderate, and determine the same according to equity and good conscience; and in case any person or persons shall find him or themselves aggrieved or prejudiced by such determination of the said Commissioners, or by any other the Acts or Proceedings of the said Commissioners, wherein he or they shall conceive themselves relievable in Justice or Equity; the said party so aggrieved, shall and may have recourse in all cases to the Lord Treasurer, Chancellor of the Exchequer, and Barons of the Court of Exchequer, to set forth his or their case by Petition, Bill, or Plaint: And the said Court is hereby impowred in such case of

Appeal to the  
Exchequer.

Appeal,

Appeal, to hear and determine all matters to them complained of, concerning the same; and thereupon to revoke, make void, alter, and confirm such Acts or proceedings of the said Commissioners, as shall be agreeable to Equity and Justice.

And the said Court of Exchequer is hereby also further impowred yearly to call the said Commissioners to an accompt, for all Rents, Fines, Penalties, Contributions, or any other sum or sums of money, payable, or that shall come to their or any of their hands, for any of the purposes in this Act intended And the said Commissioners are hereby required at or before every Trinity Term, to deliver in a true accompt before the Barons of the said Court, of all their Receipts and Disbursements for the year, ended at Easter then past, and in default thereof, Process shall of course be made forth against the said Commissioners, by the Clerk of the Exchequer of the said Court, at the Sealing-day for the said Trinity Term, every year respectively.

The Commis-  
sioners to ac-  
compt in the  
Exchequer.

And be it further Enacted by the Authority aforesaid, That the Decree made at a Session of Sewers at Westminster-Hall, within the City of Westminster, and County of Middlesex, the eighth day of August, One thousand six hundred sixty and one, holden before John Lord Roberts, Lord Privy Seal, James Duke of Ormond in the Kingdom of Ireland, Lord Steward of His Majesties Household, and Earl of Brecknock, Mountague Earl of Lindsey, Edward Earl of Manchester, and others the Commissioners of Sewers, then and there assembled by Authority of his Majesties Commission of Sewers, to them and others directed, for the making of two new Sewers, and enlarging & amending the old Sewers near Charing-Cross, for conveying the Water away from annoying His Majesties Palace at Whitehall, be and is hereby ratified, and confirmed, and shall be put in execution according to the true intent and meaning thereof, with full power to levy all the Arrears, as by a Commission of Sewers can or may be done: And all and every person and persons employed, or that have acted therein, be and are hereby indemnified and saved harmless from all manner of Suits and Actions that may or shall be brought against any of them for the same.

Confirmation  
of a Decree of  
Sewers.

And whereas great quantities of Sea-coal ashes, dust, dirt, and other filth, of late times have been, and daily are thrown into the Streets, Lanes, and Alleys of the Cities of London and Westminster, and Borough of Southwark, and other parts adjacent, to the great annoyance of Your Majesties good People: Be it therefore Enacted by the Authority aforesaid, That all and every person and persons inhabiting within the said Cities of London and Westminster, and the Suburbs and Liberties thereof, and the Borough of Southwark, or in any of the said new built Streets, Lanes, or Alleys, shall from the first day of May, One thousand six hundred sixty and two, sweep and cleanse, or cause to be swept and cleansed, all the Streets, Lanes, Alleys, and publick places before their respective Houses, Buildings and Walls, twice every week, That is to say, on every Wednesday, and every Saturday in the week, and all the soil, dirt, and other filth, shall cause to be taken up into Baskets, Tubbs, or other Vessels ready for the Raker, Scavenger, or other Officer appointed for that purpose, to carry away, upon pain to forfeit three shillings and four pence for every offence or neglect respectively.

All Streets  
and Lanes to  
be swept and  
cleansed.

And that no person or persons whatsoever shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid any Sea-coal ashes, dust, dirt, or other filth or annoyance in any open Street, Lane, or Alley, within the said Cities or places aforesaid, before or against his, her, or their own dwelling Houses, Buildings or Walls, on the penalty of five shillings; and if before the Houses, Buildings, or Walls of any of their Neighbours, or other the Inhabitants of the Cities or places aforesaid, or before or against any Church or Churchyard, or any of His Majesties Houses, Buildings, or Walls, or any other publick Houses, Buildings, or places whatsoever, or shall cast, lay, or throw, or cause to be cast, laid, or thrown into any common or publick Sink, Vault, water-course, common Sewer or High-way, within the said Cities or places

Penalty of lay-  
ing dirt in the  
Streets.



aforsaid, or any other private Vault, or Sink of any of his Neighbours, or other Inhabitants, any Ashes, Dust, Filth, Ordure, or other noysome thing whatsoever; but shall keep, or cause the same to be kept in their respective Houses, Backsides, or Yards, untill such time as the Raker, Scavenger, or other Officer thereunto appointed, of the Ward, Parish, Street, or place where they dwell, do come by, or near their houses, or doozs, with his Cart, Barrow, or other thing or things used for cleansing the streets, and carrying away thereof; and then shall carry, or cause to be carried the said Ashes, Dust, or other Filth and Annoyance aforsaid, forth of their Houses, and deliver it unto the said Raker, Scavenger, or Officer, or otherwise put the same in his Cart, Barrow, or other thing as aforsaid, upon pain to forfeit the sum of twenty shillings for every such offence.

Annoyance to Churches and Noblemens houses.

And be it further Enacted, That the respective Church-Wardens, the House-keepers of Whitehall, and other His Majesties Houses, House-keepers, or Porters of Noblemens Houses, Others, Porters or Keepers of Courts of Justice, and all other publick Houses and Places respectively, shall be liable to, and shall suffer the like Penalties, Forfeitures, and Punishments for every the before-mentioned offences, or neglects, committed, done, or suffered to be done before any Church, or Church-yard, or before any of His Majesties Houses, Buildings, or Walls, or before any Noblemens Houses, Buildings or Walls, or before any other publick Houses, Buildings, or places whatsoever respectively.

Penalty of setting Barrels, Coaches, &c. in streets.

And be it further Enacted by the Authority aforsaid, That from and after the first day of May, One thousand six hundred sixty and two, no person or persons shall Hoop, wash, or cleanse any Pipes, Barrels, or other Casks, or Vessels in any the Streets, Lanes, or open Passages aforsaid, nor shall set out empty Coaches, to make or mend, or rough Timber, or Stones to be sawn, or wrought in the streets, on the penalty of twenty shillings for every offence.

Scavengers to give notice when they come.

And be it further Enacted by the Authority aforsaid, That the Rakers, Scavengers, or other Officers thereunto appointed, every day in the week (except Sundays and other Holidays) shall bring or cause to be brought, Carts, Dung-pots, or other fitting carriages, into all streets and places within their respective Wards, Parishes, Charges, and Divisions where such Carts or Carriages can pass; and at or before their approach, by a Bell, Horn, Clapper, or otherwise, shall make distinct and loud noise, and give notice to the Inhabitants, of their coming, and make the like noise, and give the like notice in every Court, Alley, or place, into which the said Carts cannot pass, and abide, and stay there a convenient time, in such sort, that all persons concerned, may bring forth their respective Ashes, Dust, Dirt, Filth, and Soil, to the respective Carts or Carriages, so staying as aforsaid; all which, the said Rakers, Scavengers, or other Officers aforsaid, shall daily carry, or cause to be carried away, upon pain to forfeit forty shillings for every offence or neglect respectively.

Streets to be forthwith paved by the house-keepers.

And be it further Enacted by the Authority aforsaid, That all the open Streets, Lanes, and Alleys within the said Cities and Places aforsaid (excepting only the new Paving of such Streets and Places, for which any of the Inhabitants have contributed and paid their respective proportions to the Commissioners before named, according to the Rates aforsaid) shall be forthwith sufficiently repaired, or paved, and from time to time hereafter maintained and kept sufficiently repaired or paved, at the costs and charges of the Householders in the same Streets, Lanes, and Alleys respectively, in manner following (that is to say) every of the said Householders to repair and pave, and to keep repaired and paved, the Streets, Lanes, or Alleys before his House, and so far as his Housing, Walls, or Building extend, unto the Channel, or middle of the same Street, Lane, or Alley, upon pain to forfeit twenty shillings for every Yearch or Rod (and after that rate for a greater or lesser quantity) for every default, and of twenty shillings a week for

for every week after, until the same shall be sufficiently paved and amended.

Provided alwaies, That such ancient Streets, Lanes, and Alleys within the said Cities, or either of them, the Suburbs and Liberties thereof, and Borough of Southwark, as by custom and usage have been repaired and paved in other manner, shall be hereafter repaired, paved and maintained in such sort and manner, and by such person and persons, as have heretofore used to repair, pave and maintain the same, under the penalties aforesaid. Any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Except it hath  
been otherwise  
paved.

And be it further Enacted by the Authority aforesaid, That every Householder within the said Cities, the Suburbs and Liberties thereof, and in all other the places aforesaid, whose House adjoyns unto, and is next the Street, from Michaelmas until our Lady Day yearly, shall every night set or hang out Candles, or lights in Lanthorns, or otherwise, in some part of his House next the Street, to enlighten the same for Passengers, from such time as it shall grow dark, until Nine of the Clock in the Evening, upon pain to forfeit the sum of One shilling for every default.

Lights in the  
Streets.

And for the more speedy Reformation and punishment of all and every the Offences aforesaid: Be it further Enacted by the Authority aforesaid, That every one of His Majesties Justices of either Bench, and Barons of His Exchequer, and every Justice of Peace of the said Cities of London and Westminster, and places aforesaid (within their several Limits respectively) shall have power and authority upon his own knowledge, or view, confession of the party, or proof of one credible witness upon Oath before him (which Oath by vertue of this Act, such Justice shall have power to administer) to convict any person or persons of any of the Offences aforesaid, whereby such person or persons so convicted, shall incur the penalties and forfeitures aforesaid, one moiety whereof shall be disposed and employed for and towards the reparation, paving and cleansing of the street or place where the Offence shall be committed, and as much, or all of the other moiety as the Justice shall think fit, for him or them that shall discover and prosecute the same, in case the said conviction be by such discovery and prosecution: and if the conviction be by the view or knowledge of such Justices, then the said whole penalty to go and be employed for and towards the repairing, paving, and cleansing of the said streets, or place, and shall be levied by distress and sale of the Goods and Chattels of the Offender, by warrant under the hand and seal of any such Justice, to be directed to the Constable, or any other Officer of the same Parish, rendering the surplusage to the party, and in default of distress, or not payment of the said penalties, within six dayes after demand thereof, or notice in writing, left at the house or dwelling place of the Offender, by the said Constable, or any other Officer, the said Offender, not being a Peer of this Realm, shall be committed to the common Goal of the said County or Citie respectively, by the Warrant of any such Justice under his Hand and Seal, there to remain without Bail or Mainprize until payment.

The manner of  
convicting  
Offenders.

Penalties le-  
vyed by dis-  
tress and sale.

And for the better raising and levying of monies to defray the charges, and pay the wages of the said Scavengers, Rakers, or other Officers employed in cleansing of the Streets, Lanes, Alleys, and other places aforesaid, and carrying of the said ashes, dirt, filth and soil; Be it further Enacted by the Authority aforesaid, That within the City of London and Liberties thereof, the Scavengers, Rakers, and such like Officers, shall be elected, and the Rates, Taxes, and Assessments for Scavengers, Rakers, and such like Officers wages, for cleansing the Streets, shall be rated, taxed, assessed, raised and paid by the Parishioners and Inhabitants of every Parish and Precinct respectively, within the said City and Liberties thereof, according to the ancient custom and usage of the said City; And the Receivers of all such moneys shall be accountable as formerly; And all new Messuages, Tenements and Houses, within the Limits aforesaid, shall be likewise Rated, Taxed, and Assessed, and shall pay proportionally.

Remedy for  
Scavengers  
wages.

New houses  
to pay.

proportionally



Order of cho-  
ling Sca-  
vengers.

Tradesmen to  
be Scavengers.

Penalty of re-  
fusing the Of-  
fice.

A rate to be  
set for raking  
the Streets.

The rate con-  
firmed.

Officers sued  
may plead the  
General Issue.

proportionably with others; And that within the City of Westminster, the said Officers shall be chosen, and the Rates made and paid according to the ancient Custom of the said City: And in all other the Parishes and places aforesaid, upon every Tuesday or Wednesday in Easter week, the Constables, Church-wardens, and Overseers for the Poor, and Surveyors of the High-ways of every the said Parishes and places respectively, or the greater number of them, giving notice unto, or calling together such other Inhabitants of their respective Parishes, as have formerly born the like Offices therein, they or the greater number of them shall make choice of, and shall nominate and appoint two or more able persons that are Tradesmen of their Parish, to be Scavengers for the streets, lanes, and other open passages of each Ward and Division, within the said Parish for the year then next following, and until others be chosen and settled in their places; which persons so chosen, and being approved, and confirmed under the hands of any two Justices of Peace within their respective Limits and Jurisdictions, shall within seven days after their Election and Confirmation, and notice thereof, take that Office and Duty upon them, upon pain to forfeit Twenty pounds by every refuser respectively. And in case of refusal by any person or persons so chosen and confirmed, then other able persons shall be chosen and confirmed in manner aforesaid, within seven days after such refusal, in the place of him or them which shall so refuse; and the person or persons so chosen and confirmed, and having notice thereof, shall undergo the like pain, in case of refusal, or not taking the said Office and Duty upon him or them, within seven days after he or they shall be chosen and confirmed, and have notice thereof as aforesaid; The said Penalties to be disposed and employed for, or towards the mending and repairing of the Streets and Ways of the same Parish, Ward or Division, and to be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any Justice of the Peace of any of the places aforesaid, to be directed to the Constables, or other Officers of the same Parish, or any two or more of them (rendering the surplusage to the party) and in default of distress, or not payment within six daies after demand thereof, or notice left in writing, at the house or dwelling place of the Offender, by the said Constables or Officers, the said Offender to be committed to the Goal of the said County or City respectively, by the Warrant of any such Justice, under his Hand and Seal, there to remain without Bail or Mainprize, until payment.

And be it further Enacted by the Authority aforesaid, That within twenty daies after the Election, and Confirmation of the said Scavengers as aforesaid, the Constables, Church-wardens, and Overseers for the Poor, and of the High-ways of the said Parishes, and places respectively, or the greater number of them, giving notice unto, or calling together such Inhabitants of their respective Parishes, as have formerly born the like Office therein; They or the greater number of them then present, shall make and settle a Tax, Rate, or Assessment, according to a Pound-rate, to be imposed or set upon the Inhabitants of the said Parish, Ward, or Division, for the year following, for the purposes aforesaid; which being allowed, and confirmed by any two of the Justices of the peace of the places aforesaid respectively, shall be quarterly paid by every respective Inhabitant, upon demand made thereof by the Beadle of the Parish, or other Officer appointed to gather and collect the same: And in case of refusal or neglect, shall by Warrant of any two such Justices of the Peace, under their Hands and Seals, be levied by Distress and Sale of the Offenders Goods; and for want of Distress, by Imprisonment of the Offender (he not being a Peer of this Realm) until payment as aforesaid.

Provided alwaies, and be it Enacted by the Authority aforesaid, That if any Action or Suit shall be brought, or prosecuted by any person or persons, against any Judge, Commissioner, Justice of the Peace, Constable, or other Officer, or Minister aforesaid, or against any person or persons employed by them,

them, or any of them, or authorized by this Act to do or perform, as by this Act is directed, for any matter, cause, or thing, by them or any of them done, committed, or executed, by virtue or reason of this Act, or any Clause, or Article therein contained; that then in every such case, the Action shall be laid in the proper County where the Fact was done, and not elsewhere; and the Defendant or Defendants may plead the General Issue, and give the special Matter in Evidence at the Tryal, That the same was done in pursuance, and by Authority of this Act: And if upon Examination it shall so appear to be done, the Jury shall find for the Defendant; and in such case, or if the Plaintiff shall be Non-suit, or discontinue his Action after the Defendant hath appeared, the Defendant shall have, and recover his or their double Costs, which he, or they shall sustain, or be put unto, by reason of his or their wrongful vocation, in defence of the said Action or Suit.

And recover  
double Costs.

And whereas the several Streets and Passages hereafter mentioned (that is to say) The Street or Passage at or near the Stocks in London; the Street and Passage from Fleet-Conduit to St. Pauls Church in London; the Passage through the White Hart Inn, from the Strand into Covent-Garden; the Street and Passage by and near Exeter-house and the Savoy, being obstructed by a Rail, and the unevenness of the ground thereabouts; the Passage and Street of St. Martins-lane out of the Strand; the Passage or Street of Field-lane, commonly called Jack-an-Apes-lane, going between Chancery-lane and Lincolns-Inn-Fields; the Passage and Gate-house of Cheap-side into St. Pauls Church-yard; the Passage against St. Dunstons Church in the West (being obstructed by a Wall) the Street and Passage by and near the West-end of the Poultry in London, and the Passage at Temple-Bar, are so narrow that they are incommodious to Coaches, Carts and Passengers, and prejudicial to Commerce and Trading; Be it Enacted by the Authority aforesaid, That the Lord Mayor of the City of London, the Recorder and Aldermen for the time being, together with such other Commissioners as His Majesty shall appoint under the Great Seal of England, or any five of them, shall have full Power and Authority to receive all Subscriptions and Payments of voluntary contributions of money or other endowments, towards the Amendment and Enlargement of the Streets and places before named, or so much of them, or any of them, as the said Commissioners, or any five or more of them shall judge fit and necessary; And are hereby further impowred to treat and agree with the Owners and Occupiers of any such Houses, as they shall judge fit to be removed, rebuilt, or pulled down, or any part of them; and upon payment of such sum or sums of money so agreed upon, are hereby authorized to appoint workmen to pull the said Houses down, or cause the said Owners or Occupiers to rebuild accordingly, and this Act shall be sufficient to indemnifie the said Commissioners, and all persons Authorized by them, against the Heirs, Executors, Administrators or Assigns of any the said Owners or Occupiers, as if the same had been sold by Deed, Feoffment, Bargain, and Sale, or other assurance in the Law, and done by Fine and Recovery, or any other way whatsoever; And if there shall be any persons, Bodies Corporate or Collegiate, that shall wilfully refuse to treat and agree, as aforesaid, or through any disability by Non-age, Coverture, or a special Entail, or other Impediment cannot, That in such cases the said Commissioners are hereby Authorized by virtue of this Act, to issue out Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to impanel and return a Jury before the said Commissioners, or any five of them, which Jury upon their Oaths to be administered by the said Commissioners, are to enquire and assess such damage and recompence as they shall judge fit to be awarded to the Owners and Occupiers, or either of them, of any such Houses, or any part thereof, for their respective Estates and Interests in the same, as by the said Commissioners shall be adjudged fit to be pulled down, for the purposes aforesaid: And such Verdict of the Jury, and Judgment of the Commissioners thereupon, and the

These Streets  
the Commis-  
sioners may  
enlarge.

Agreement to  
be made with  
Owners of  
Houses,

If the Owners  
will not agree,  
then a Jury  
shall assess the  
sum to be paid  
for Houses, &c  
demolished.



the legal payment, or tender of the sum or sums of money so awarded and adjudged, shall be binding to all intents and purposes against the said parties, their Heirs, Executors, Administrators and Assigns, and others claiming any Title or Interest in the said Houses, or in the ground whereupon they stand, or thereunto belonging, and shall be a full Authority for the said Commissioners or any five of them, to cause the same to be executed, and the said Houses accordingly to be removed and pulled down.

Money to be raised by owners of the Houses made better by light and ayr.

And whereas the Houses that shall remain standing on the other side of the said Street or Streets, or behind the said Houses that shall be so pulled down as aforesaid, will receive much advantage in the value of their Rents, by the liberty of Ayre, and free recourse for Trade, and other conveniencies by such enlargement; It is also Enacted by Authority aforesaid, That in case of refusal, or incapacity, as aforesaid, of the Owners, or Occupiers of the said Houses, to agree and compound with the Commissioners for the same, thereupon a Jury shall and may be Impannelled in manner and form aforesaid, to Judge and Assess upon the Owners and Occupiers of such Houses, such competent sum or sums of money, or Annual Rent, in consideration of such Improvement and Melioration, as in reason and good conscience they shall judge and think fit; which said sum or sums of Money, or Rent, shall be paid to the Chamberlain of the City of London for the time being, and such other Treasurer or Treasurers as shall be appointed by the said Commissioners, or any five or more of them, who are hereby enabled from time to time, to receive and recover the same by Action at Law, and whose Receipt shall be a good Discharge to the said Owners and Tenants, and who are hereby appointed to receive and pay, and be accomptable for the same according to such directions as shall from time to time be given them by the said Commissioners: and the monies so raised, or Rents so received, shall be expended upon the Purchasing or Re-building Houses on the other side the Street, and upon paving and amending of the Waies and Streets aforesaid, according to the purport of this Act. And the said Verdict of the Jury, and Judgment of the Commissioners in the cases aforesaid, shall be sufficient, and conclusive in Law, to all intents and purposes, against the said Owners and Occupiers, their Heirs, Executors, Administrators, and Assigns.

Commissioners Oath.

Provided alwaies, And be it further Enacted by the Authority aforesaid, That no person shall be enabled to Act as a Commissioner to the intents and purposes aforesaid, until he shall first have taken his Corporal Oath before the Lord Chancellor, or Lord High Treasurer of England for the time being, for the due and impartial Execution of the Trusts by this Act committed to him.

The Mayor, &c of London, joyned in Commission.

The like for Westminster.

Provided also, That the Lord Mayor, Recorder, and Aldermen of the City of London for the time being, shall be, and are hereby authorized to be Joynt-Commissioners, and to exercise all the Powers of this Act, to all the ends and purposes thereof, which are to be ordered, done, or executed within the said City, or the Liberties thereof: And likewise, That the Dean of Westminster, the High Steward, and his Deputy Steward, and the two High Burgesses of the said City of Westminster for the time being, shall be, and are hereby authorized to be Joynt Commissioners, and to exercise all the powers of this Act, to all the ends and purposes thereof, which are to be ordered, done, or executed within the said City of Westminster, or the Liberties thereof, Any thing in this Act to the contrary notwithstanding. This Act to continue, and be in force until the end of the first Session of the next Parliament.

## C A P. III.

An Act for Ordering the Forces in several Counties of this Kingdom.

**F**Orasmuch as within all His Majesties Realms and Dominions, the sole and supreme Power, Government, Command and Disposition of the Militia, and of all Forces by Sea and Land; and of all Forts and places of Strength is, and by the Laws of England ever was the undoubted Right of his Majesty, and his Royal Predecessors, Kings and Queens of England; and that both or either of the Houses of Parliament, cannot, nor ought to pretend to the same; nor can, nor lawfully may raise, or levy any War, Offensive, or Defensive against his Majesty, his Heirs, or lawful Successors; and yet the contrary thereof hath of late years been practised, almost to the ruine and destruction of this Kingdom; and during the late usurped Governments, many evil and rebellious principles have been instilled into the minds of the people of this Kingdom, which may break forth, unless prevented, to the disturbance of the peace and quiet thereof;

This Act explained,  
15 Car. 2.  
cap. 4.  
The Militia in  
the King.

Be it therefore Declared and Enacted, by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, That the Kings most Excellent Majesty, his Heirs and Successors, shall, and may from time to time, as occasion shall require, issue forth several Commissions of Lieutenancy to such persons as his Majesty, his Heirs and Successors, shall think fit to be his Majesties Lieutenants for the several and respective Counties, Cities, and places of England, and Dominion of Wales, and Town of Berwick upon Tweed, which Lieutenants shall have full power and authority, to call together all such persons at such times, and to arm, and array them in such manner, as is hereafter expressed and declared; and to form them into Companies, Troops, and Regiments; and in case of Insurrection, Rebellion, or Invasion, them to lead, conduct, and employ, or cause to be led, conducted, and employed, as well within the said several Counties, Cities, and places, for which they shall be Commissionated respectively, as also into any other the Counties and places aforesaid, for suppressing of all such Insurrections, and Rebellions, and repelling of Invasions, as may happen to be, according as they shall from time to time receive directions from his Majesty; his Heirs and Successors; and that the said respective Lieutenants shall have full power and authority from time to time, to constitute, appoint, and give Commissions to such persons as they shall think fit to be Colonels, Majors, Captains, and other Commission-Officers, of the said persons, so to be Armed, Arrayed, and Weaponed, and to present to his Majesty, his Heirs and Successors, the names of such person and persons, as they shall think fit to be Deputy-Lieutenants, and upon his Majesties approbation of them, shall give them Deputations accordingly; alwaies understood, That his Majesty, his Heirs and Successors, have power and authority, to direct and order otherwise, and accordingly at his and their pleasure, may appoint, and commissionate, or displace such Officers, Any thing in this Act to the contrary notwithstanding: And that the said Lieutenants respectively, and in their absence out of the Precincts and Limits of their respective Lieutenancies, or otherwise by their directions, the said Deputy-Lieutenants, during their said respective Deputations, or any two or more of them, shall have power from time to time, to train, exercise, and put in readiness; and also, to lead, and conduct the persons so to be Armed, Arrayed, and Weaponed, by the directions, and to the intents and purposes, as is hereafter expressed and declared.

Power to issue  
forth Commissions of  
Lieutenancy.

Power of  
Lieutenants.

Power reserved  
in the King to  
alter and dis-  
place Officers,  
&c.

Power of De-  
puty Lieutenants.

And for the providing Horse, and Arms, and Furniture thereunto belonging;

¶

for



for the Arming and Weaponing the persons aforesaid; And also for the decaying and paying the necessary charges thereunto belonging, in manner as hereafter followeth; Be it further Enacted, That the said respective Lieutenants within the several Counties, Cities, and places for which they are nominated respectively, and their Deputies, or the major part of such Lieutenants, and Deputy-Lieutenants, then present: or in the absence of the Lieutenant, or Lieutenants, the major part of the Deputy-Lieutenants, then present, which major part shall be three at the least, have hereby full Power and Authority, to charge any person with Horse, Horse-man and Arms, or with Foot-Souldier and Arms, in the same County, Shire, City, Borough, or Town Corporate, where his, her, or their Estates lie, having respect unto, and not exceeding the limitations and proportions hereafter mentioned (that is to say) No person shall be charged with finding a Horse, Horse-man and Arms, unless such person or persons have a Revenue of five hundred pounds by the year in possession, or have an Estate of Six thousand pounds in Goods, or Money, besides Furniture of his or their houses, and so proportionably for a greater Estate in Lands in Possession, or Goods, as the respective Lieutenants, and their Deputies as aforesaid, in their discretions shall see cause, and think reasonable; And they are not to charge any person with finding a Foot-Souldier, and Arms, that hath not a yearly Revenue of Fifty pounds in possession, or a personal Estate of Six hundred pounds in Goods, or Monies (other then the stock upon the ground) and after the aforesaid rate proportionably, for a greater or lesser Revenue, or Estate; Nor shall they charge any person with the finding both of Horse and Foot in the same County.

**Power to charge persons.** Provided, That no person chargeable by this Act, to finde an Horse and Horse-man with Arms, or to be contributory towards finding an Horse and Horse-man with Arms, shall for the same Estate be chargeable towards finding a Foot-Souldier with Arms, or contributory thereunto; And it shall be lawful to and for the respective Lieutenants and Deputies, or any three or more of them as aforesaid, to impose the finding and providing of Horse, Horse-man, and Arms as aforesaid, by joyning two, or three, or more persons together in the charge, as to their judgment shall appear most conducing to the service of this Kingdom.

**Who shall be charged with Horse.** Provided, That no person that hath not One hundred pounds Per Annum in possession, in Lands, Tenements, or Hereditaments, Leasehold, or Copyhold, or twelve hundred pounds personal Estate, shall be compellable to contribute in finding any Horse and Horse-man with Arms: And the said respective Lieutenants and Deputies, or any three or more of them, shall have power to hear Complaints, and examine Witnesses upon Oath (which Oath they have hereby power to administer) and to give redress according to the merits of the cause, in matters relating to the Execution of this Act.

**Power to hear complaints, and administer Oaths.** Be it further Enacted, That the said Lieutenants and Deputies, or any three or more of them, in their several Counties and places respectively, shall require and direct all persons so charged as aforesaid, with horse, horse-men, and Arms, to allow two shillings by the day, to the Troopers that serve with their horse and arms, for the maintenance of the man and horse, and twelve pence a day for the Foot Souldiers (if they serve not in their own persons) for so many days as they shall be absent from their Dwellings and Callings, by occasion of Muster or Exercise.

**Allowance of Pay.** And for furnishing Ammunition and other Necessaries, The said respective Lieutenants, and Deputies, or any three or more of them, shall have power to lay sitting Rates upon the respective Counties and Places, not exceeding in the whole in any one year the proportion of a fourth part of One Moneths Assessment in each County, after the Rate of Seventy thousand pounds by the Moneth, now or late charged by an Act, Intituled, An Act for the raising of Seventy thousand Pounds for the further Supply of His Majesty, which Monies are to be Assessed, Collected, and paid by such persons, and according

**Assessments for Ammunition.**

according to such Directions as shall be given from time to time by the said respective Lieutenants and Deputies, or any three or more of them under the like penalties, and by the like waies and means as are prescribed in the said Act for the Seventy thousand pounds by the Moneth; And in case of Invasions, Insurrections or Rebellions, whereby occasion shall be to draw out such Souldiers into actual Service, the persons so charged as aforesaid, shall provide each their Souldier respectively with pay in hand, not exceeding one Moneths pay, as shall be in that behalf directed by the said respective Lieutenants, and in their absence, as aforesaid, or otherwise by their directions by their Deputies, or any two, or more of them, for repayment of which said Monies, and for satisfaction of the Officers for their pay during such time, not exceeding one Moneth, as aforesaid, as they shall be with their Souldiers in such said actual Service; It is hereby Declared, That provision shall be made for the same by His Majesty, His Heirs and Successors, out of His or Their Publick Treasury or Revenue. Nevertheless it is hereby further Provided and Enacted, That in case a Moneths pay shall be provided and advanced as aforesaid; That no person who shall have advanced his proportion thereof, shall be charged with any other like Moneths payment, until he or they shall have been re-imburshed the said Moneths pay, and so from time to time the Moneths pay by him or them last before provided, as aforesaid.

Pay upon In-  
surrections, &c

Re-imburse-  
ment out of o-  
ther future  
Taxes.

And be it Enacted, That the said Lieutenants and their Deputies, or the Chief Officers upon the place in the respective Counties and places, as aforesaid, may charge Carts, Wagons, Waggons, and Horses, for the carrying of Powder, Hatch, Bullet, and other Materials, allowing six pence a mile outward only, to every such Cart Wagon and Waggon with five Horses or six Oxen, and so proportionably; And for every Horse employed out of Wagon or Cart for the uses aforesaid, one penny, so taken upon the Marching of any Regiment, Company or Troop, upon occasion of Invasion, Insurrection, or Rebellion; And that the said Lieutenants, or Deputies, or the Chief Officers upon the place, shall, and may Imprison Mutineers, and such Souldiers as do not their Duties as Souldiers at the day of their Musters and Training; and shall and may Inflict for punishment for every such Offence any pecuniary Mult not exceeding five shillings, or the penalty of Imprisonment without Bail or Mainprize not exceeding twenty daies.

Charging  
Carts, &c.

And be it further Enacted, If any person or persons so to be assessed, or charged by the said Lieutenants, and Deputies, or any three or more of them respectively, shall refuse, or neglect by a reasonable time to be appointed, to provide and furnish such sufficient Horse and Horse-man, Horses and Horse-men, Arms, and other Furniture, or to pay such sum or sums of Money towards the providing and furnishing, as aforesaid; That then it shall and may be lawful to any for the respective Lieutenants and Deputies, or any three or more of them, for every such Offence, from time to time to inflict a penalty upon such persons not exceeding twenty pounds; And also by Warrant under their or any three or more of their Hands and Seals to levy such sum or sums of money, or the value of such Horse or Horses, Arms and Furniture, and such penalty inflicted by Distress and Sale of the Goods of the person or persons so neglecting or refusing, rendering the overplus to the party so distrained, all necessary charge in levying thereof being first deducted; And it is Declared that the same be employed to the same uses, in default whereof the same was imposed.

Penalty for  
not providing,  
&c.

Levying of  
the Penalty.

Employment  
of it.

And be it further Enacted, that if any person or persons so to be Armed, Armed and Weaponed, shall detain or imbezell his Horse, Arms or Furniture wherewith he ought to serve, or is intrusted, that it shall and may be lawful to and for the said respective Lieutenants, and in their absence as aforesaid, or otherwise by their directions, to and for their Deputies, or any two or more of them, to Imprison such person and persons, till he or they have made satisfaction for the Horse, Arms, or other Furniture so by him detained, or imbezelled; And also that if any person so to be Armed, Horses, or Weaponed, as aforesaid,

Penalty of im-  
bezeling,  
Horse, Arms,  
&c.

Non-appear-  
ance.



shall not appear, and serve compleatly furnished with Horse and Arms, and other Furniture wherewith he is intrusted at the beat of Drum, sound of Trumpet, or other Summons, that then and so often it shall and may be lawful to and for the said respective Lieutenants, and in their absence, as aforesaid, or otherwise by their directions, to and for their Deputies, or any two or more of them, if the default be in the person or persons so intrusted, to Imprison such person or persons for the space of five daies without Bail or Mainprize, or to inflict the penalty, if a Horse-man, not exceeding twenty shillings, and if a Foot-man, not exceeding ten shillings, to be paid down without delay or forbearance: And if any person or persons so assessed or charged, as aforesaid, shall refuse or neglect to send in or deliver his Horse, Arms or other Furniture, upon such Summons or other Notice, as aforesaid; That then and so often, it shall and may be lawful to and for the said respective Lieutenants, and their Deputies, or any three or more of them, to inflict a penalty not exceeding five pounds, to be levied by Distress, and sale of the Goods of such person or persons so refusing, as aforesaid, rendering the overplus to the party distrained, necessary Charges for levying being first deducted.

Discovery of  
the abilities,  
&c. by Oath.

And for the better discovery of the ability of the persons so to be Assessed and Charged, and of all Misdemeanors tending to the hinderance of the service aforesaid, the said respective Lieutenants, and their Deputies, or any three or more of them, are hereby Enabled to Examine upon Oath such person or persons as they shall Judge necessary or convenient, or shall be produced by the party Charged or Accused, other then the persons themselves to be assessed and accused.

But not of the  
party himself.

Appointing  
Treasurers, &c.

And for the better and more speedy execution of the premises, Be it further Enacted, That the said respective Lieutenants shall be and are hereby required to appoint one or more Treasurer or Treasurers, Clerk or Clerks, for receiving and paying such monies as shall be levied by vertue hereof; of all which Receipts and Disbursements thereof, the said Treasurer, Clerk and Clerks are every six Moneths to give their Accompts in writing, and upon Oath, to the said Lieutenants and their Deputies, or any three or more of them, which Oath they have hereby power to administer; And the said Accompt so to be taken, shall be forthwith certified to the Lords of His Majesties most honourable Privy Council, and a Duplicate thereof shall be certified to the Justices of Peace at the next General Quarter Sessions.

Accompts by  
Treasurers, &c.

Deputy-Lieu-  
tenants to o-  
bey Orders.

And be it further Enacted, That the Deputy-Lieutenants shall observe and obey such Orders and Directions as they shall from time to time receive from the respective Lieutenants for the putting in execution the powers given by this Act.

Officers im-  
ployed to  
search and seize  
Arms, &c.

And for the better securing the Peace of the Kingdom, Be it further Enacted and Ordained; and the said respective Lieutenants, or any two or more of their Deputies, are hereby enabled and authorized from time to time, by Warrant under their Hands and Seals, to employ such person or persons as they shall think fit (of which a Commissioned Officer, and the Constable, or his Deputy, or the Pything-man, or in the absence of the Constable, & his Deputy, and Pything-man, some other Person bearing Office within the Parish where the search shall be, shall be two) to search for and seize all Arms in the custody or possession of any person or persons, whom the said Lieutenants, or any two or more of their Deputies, shall judge dangerous to the Peace of the Kingdom; and to secure such Arms for the service aforesaid, and thereof from time to time to give Accounts to the said respective Lieutenants, and in their absence, as aforesaid, or otherwise by their directions, to their Deputies, or any two or more of them: Provided that no such Search be made in any house or houses between Sun-setting and Sun-rising, other then in Cities and their Suburbs, and Towns Corporate, Market-towns, and houses within the Bills of Mortality, where it shall and may be lawful to search in the night-time, by Warrant, as aforesaid, if the Warrant shall so direct, and in case of resistance to enter by force; And that no dwelling-house of any Peer of this Realm be searched by vertue of this Act, but by immediate

Persons to be  
searched, &c.

No search in  
the Night.

Except in Ci-  
ties and  
Towns, &c.

Houses of  
Peers, how to  
be searched.

Warrant

Warrant from His Majesty under His Sign manual, or in the presence of the Lieutenant, or one of the Deputy-Lieutenants of the same County or Riding; And that in all places and houses whatsoever where search is to be made as aforesaid, it shall and may be lawful, in case of resistance, to enter by force; And that the Arms so seized may be restored to the Owners again, if the said Lieutenants, or in their absence as aforesaid, their Deputies, or any two, or more of them shall so think fit.

Entry by force.

And be it Enacted, That all High Constables, petty Constables, and other Officers and Ministers within the said Counties, Cities, Parishes and places aforesaid, be, and are hereby required to be aiding and assisting to the said respective Lieutenants, and their Deputies, or any of them in execution of the Premises; And that all and every person and persons who shall act, or do any thing in execution thereof, shall be hereby saved harmless and indemnified; And also, that all and every person and persons, who have heretofore acted or done any thing in execution of any Commission, or Commissions of Lieutenancy Issued by the Kings Majesty that now is, or by colour of them, or any of them, or touching or concerning the same, or any of them, or relating thereunto since the seventh day of May, One thousand six hundred sixty and one, untill the twentieth day of May, One thousand six hundred sixty and two, shall be and are hereby saved harmless and indemnified in that behalf.

Officers to be aiding.

Indemnifie persons acting.

The like for matters past.

And be it further Enacted and Ordained, That where any person or persons shall be charged by vertue of this Act to find a Horse and Horseman, Horses and Horsemen, and Arms, or Foot-souldier and Arms, in such County, City, or place where he or they do not reside, or inhabit, That then and in such cases, the respective Lieutenants, and Deputies, or any three or more of them, shall send Notice of every such charge, if such person have any Land in his own occupation, to such person as he doth employ as his servant in managing the same; And in case all his Lands or other Estate be demised, and to farm let, then to one or two of the most sufficient Tenant or Tenants, who shall have the same in their occupation, who are hereby required forthwith with all convenient speed to convey the same to their Master or Landlord respectively; And within such time as shall be appointed in that behalf bying an Accompt of their Master or Landlords answer to the respective Lieutenants and Deputies, or any three or more of them, and upon neglect, or refusal of the Landlord, to provide such Horse and Horse-man, Horses and Horse-men, and Arms, or Foot-souldier and Arms, as is duely charged upon him, according to the Rates mentioned in this Act for the yearly Rent, reserved upon every demise or other grant, and not otherwise within the time limited for that purpose; That then the said Tenant or Tenants shall provide and do as the Landlord in that behalf ought to have done. And if the said Tenant or Tenants shall refuse, or neglect to provide such Horse and Horseman, Horses and Horsemen and Arms, or Foot-souldier and Arms as are charged upon his or their Landlords within the time limited; That then and upon every such default it shall and may be lawful to and for the said respective Lieutenants, and in their absence, as aforesaid, or otherwise by their directions to and for their Deputies, or any two or more of them, by Warrant under their Hands and Seals to levy all such penalties as are appointed by this Act, by distress and sale of the offenders goods, rendering the overplus to the party distrained.

Charge in one place shall be a discharge in another.

Tenants shall pay for their Landlords.

And it is hereby Ordained and Enacted, That it shall and may be lawful to and for the said Tenant or Tenants to defalk out of such Rent, as shall be next due to his or their Landlord, all such Money as the said Tenant or Tenants shall necessarily lay out or expend in providing such Horse and Horse-man, Horses and Horsemen and Arms, or Foot-souldier and Arms as are charged upon his or their Landlord, or shall pay, or be levied upon him or them by distress for any default in manner as aforesaid, any Condition, Reservation, Covenant or Contract for the payment of his or their Rent, to the contrary in any wise notwithstanding: And for so doing, the said Tenant or Tennants shall be Indemnified

Tenants to defalk Taxes out of their Rent.

nified



nified by Authority of this Act; unless the Landlord or Landlords shall make it appear within two moneths after such levying such penalties before the respective Lieutenants, and in their absence as aforesaid, or otherwise by their directions before their Deputies, or any two or more of them, that the default and penalty was occasioned by the wilful neglect of the said Tenant or Tenants.

Oaths to be taken by Peers acting as Lieutenants.

Provided also, that no person being a Peer of this Realm shall be capable of acting or serving as Lieutenant, or Deputy-Lieutenant by virtue of this Act, unless he or they shall first before six of the Lords of His Majesties Privy Council for the time being, or such other persons as shall be Authorized by His Majesty to administer the same, take the Oaths of Allegiance and Supremacy, and also this Oath following: I A. B. do declare and believe, that it is not lawful upon any pretence whatsoever to take Arms against the King; And that I do abhor that Traiterous Position, That Arms may be taken by His Authority against His Person, or against those that are Commissioned by Him in pursuance of such Military Commissions: So help me God. Which Oaths, they have hereby power to administer.

Officers and Souldiers Oath.

And that no person being under the degree of a Peer of this Realm shall be capable of acting as Lieutenant, Deputy-Lieutenant, Officer or Souldier, by virtue of this Act, unless he or they shall first take the Oaths of Allegiance and Supremacy, and this Oath following, I A. B. do declare and believe, that it is not lawful upon any pretence whatsoever to take Arms against the King; And that I do abhor that Traiterous Position, That Arms may be taken by His Authority against His Person, or against those that are Commissioned by Him in pursuance of such Military Commissions: So help me God. Which Oaths, any one Justice of Peace of the respective Counties and places aforesaid is enabled to administer to such respective Lieutenant as is not a Peer of this Realm, and the said Lieutenant, or any one Justice of Peace of the respective Counties and places aforesaid, is enabled to administer to the respective Deputy-Lieutenants, not being Peers, and the said respective Lieutenants, and in their absence as aforesaid, or otherwise by their directions when they are not absent, their Deputies, or any two of them, shall and are hereby enabled to administer the said Oaths to the said Officers and Souldiers.

How long the present trained bands shall continue.

And to the end there may be some convenient time to put in Execution the Powers of this Act, and preparing an Establishment according to the same; Be it hereby Enacted, That the Trained Bands and Forces now Actually raised and in being, shall so continue in each respective City and County of England and Wales, untill the five and twentieth day of March, One thousand six hundred sixty and three, and no longer, unless an Establishment according to this Act be no sooner had, any thing in this present Act to the contrary in any wise notwithstanding.

Times of training, &c.

And it is hereby Declared and Enacted, That the Ordinary times for Training, Exercising, and Mustering the Forces to be raised by virtue of this Act, shall be these following (that is to say) the general Muster and Exercise of Regiments, not above once a Year; the Training and Exercising of single Companies not above four times a Year, unless special Directions be given by His Majesty, or His Privy Council; And that such single Companies and Troops shall not at any one time be continued in Exercise above the space of two daies; And that at a General Muster and Exercise of Regiments no Officer, or Souldier shall be constrained to stay for above four daies together from their respective habitations; And that at every such Muster and Exercise every Musketeer shall bring with him half a pound of Powder at the charge of such person or persons as provide the said Foot-Souldier and Arms, and every Horseman is to bring with him a quarter of a pound of Powder at the charge of such person or persons as provide the said Horse, Horse-man and Arms, and the Arms offensive and Defensive, with the Furniture for Horse, are to be as followeth; The Defensive Arms a Back, Breast and Pott, and the Breast and Pott to be

How long to stay at training.

Powder to be brought.

And Arms, &c. Arms of Horsemen.

be Pistol-proof; The Offensive Arms a Sword, and a Case of Pistols; The Barrells whereof are not to be under fourteen Inches in length; The furniture for the Horse to be a great Saddle or Padd with Butts and Straps to affix the Houslters unto, a Bit and Bridle, with a Pectoral and Crupper; For the Foot, a Musqueteer is to have a Musquet, the Barrell whereof is not to be under three foot in length, and the Gage of the Boze to be for twelve Bullets to the pound, a Coller of Bardeleers, with a Sword: Provided, That all Muster-Masters shall for the present admit and allow of any Musquets already made, which will bear a Bullet of fourteen to the pound; But no Musquets which henceforth shall be made, are to be allowed of, but such as are of the gage for twelve Bullets to the pound; A Pike-man is to be armed with a Pike made of Ash, not under sixteen foot in length (the Head and Foot included) with a Back, Breast, Head-piece and Sword: Provided, that all Muster-Masters shall for the present admit and allow of any Pikes already made that are not under fifteen foot in length; But no Pikes which shall be hereafter made are to be allowed of, that are under sixteen foot in length.

And Horse.

For the foot Musqueteer.

For the Pike-men.

Provided also, and be it Enacted by the Authority aforesaid, That the Militia of the Island of Purbeck shall remain separate from the County of Dorset, as heretofore hath been used; And that His Majesties Lieutenant of the said Island, and his Deputies, or any three or more of them, for the time being, shall have power for the Levying, Arraying, Mustering, and Conducting of such number of Foot, for the defence of the said Island, in such manner, and by such waies and means as heretofore hath been used; and also to use and execute within the said Island all and every the Powers which by the true intent of this Act, any of His Majesties Lieutenants, or his or their Deputies, or any of them, might in any respective County use or execute.

The Militia of the Island of Purbeck.

Provided nevertheless, and be it Enacted by the Authority aforesaid, That in case of apparent danger to the present Government, it shall and may be lawful for His Majesty at any time or times that the same shall so happen, during the space of three years, from the five and twentieth day of June, in the Year One thousand six hundred sixty and two, to raise such sum or sums of money for the defraying of the whole, or such part of the Militia aforesaid, as His Majesty shall find himself obliged to employ in order to the quiet and security of this Nation, the said sum not exceeding Seventy thousand pounds in one whole year: And the same to be raised by His Majesties Lieutenants, or in their absence, as aforesaid, by their Deputies in their respective Counties; according to the rules and directions in an Act in this present Parliament, For the raising of Eighteen moneths Assessment after the rate of Seventy thousand pounds *per mens-* *sem* as also to continue the space of three years from the aforesaid five and twentieth day of June, and no longer, any thing in this Act or any other to the contrary notwithstanding.

Authority for the King to raise money.

Not exceeding 70000 l. a year.

Be it also Enacted, That all Constables, Tything-men, or other Officer or Officers, who since the four and twentieth of June, One thousand six hundred and sixty, have paid or disbursed, or before the settlement of the Militia to be established by vertue of this Act, shall pay or disburse any moneys for buying of Arms, or defraying of Charges of Souldiers, let, or to be set upon their respective Parishes, shall be reimbursed the same by those who have refused to pay their proportions thereof; And in case he or they shall refuse to pay the same, then to be levied by distress and sale of Goods, rendering the Overplus to the Owner or Owners by Warrant under the Hand and Seal of the Lieutenant or Lieutenants, or in his or their absence, or otherwise by their direction, when they are not absent, of any two of their Deputies directed to the respective Constables, Tything-men, or other Officer or Officers aforesaid, of their respective Parishes.

Moneys for Arms, &amp;c. already disbursed by Officers.

How to be reimbursed.]

Provided alwaies, and it is hereby further Enacted and Declared; That no person charged with the finding of Horse or Foot, or with contributing thereunto, as aforesaid, shall be compellable to serve in his or their proper person, but may;

Parties not compellable to serve in proper person.



Their men  
subject to be  
altered.

The man com-  
manded to  
serve.  
Names of par-  
ties serving.

Not to desert  
their service.

Without li-  
cence.  
Penalty there-  
of.

New charges  
on the Tinnets  
excepted.

The Commis-  
sioners for the  
Militia of Lon-  
don.

Levyng mo-  
ney.

may, according to such proportion as they are or shall respectively be charged by this Act, find one or more fit or sufficient Man or Men qualified according to this Act, to be approved by his or their Captain respectively, subject nevertheless to be altered upon appeal to the Lieutenant, or in his absence, as aforesaid, to his Deputy-Lieutenants, or any two of them, as there shall be cause: And that every such person or persons so found and provided shall and hereby are required to serve as Soldier and Soldiers, in such manner, and under such penalties, as are by force appointed in this Act; And that every person or persons who shall serve in his or their own persons (who are also to be approved of as aforesaid) or such person or persons as shall be accepted in his or their stead, shall at the next Muster of such Troop or Company in which he or they are to serve, give in his or their Christian and Sir names, and places of abode unto such person as the Lieutenant, or in his absence, as aforesaid, or by his direction when he is not absent, any two Deputy-Lieutenants shall appoint, to the end the same may be listed: And that from thenceforth such person so listed shall not be exchanged, or desert the said service, or be discharged thereof, but by the leave and order of the Lieutenant, or two Deputy-Lieutenants, or his Captain upon reasonable cause (subject nevertheless upon appeal to be determined as aforesaid) first obtained in writing under his or their hands and seals, under pain that such person departing from the said service without leave, as aforesaid, shall forfeit the sum of twenty pounds, to be levied upon his Goods and Chattels in such manner as is by this Act appointed for the levying of other penalties; and for non-payment or want of distress, then every such person to be committed to the Common Goal of the County for any time not exceeding three moneths without Bail or Mainprize, any thing in this Act to the contrary in any wise notwithstanding.

Provided alwaies and be it Enacted, That nothing in this Act contained shall extend to put any new charge of Arms upon the Tinnets in the Counties of Devon and Cornwall, other then the Tax mentioned in the former proviso; But that the Lord Warden of the Stanaries for the time being, in pursuance of His Majesties Commission in that behalf, and such as he shall Commissionate and authorize under him, according to the Rules and Directions before mentioned in this Act, shall and may have and use the like Powers, and Array, Asses, Arm, Muster, and Exercise the said Tinnets within the said Counties, and either of them, as hath been heretofore used; and according to the ancient Priviledges and Customs of the said Stanaries, observing the Rules and Proportions appointed by this Act, any thing in this Act to the contrary notwithstanding.

Provided alwaies, and be it Enacted by the Authority aforesaid, That His Majesties Lieutenants that are, or shall be Commissionated for the Militia of the City of London, may and shall continue to list and levy the trained Band and Auxiliaries of the said City, as to the number and quality of the persons, in such manner as was used in forming the present Forces now raised by His Majesties Commission, And in regard of the extraordinary duties which the Forces of the said City that now are, and formerly were raised in Order to His Majesties happy Restauration, have of late, and may again be put to, for the safety of His Majesties Person, and for suppressing or preventing of Insurrections, that it shall and may be lawful for His Majesties Lieutenants of the said City, by Warrant from His Majesty, to impose and levy yearly in the same so much money as they shall find needful for defraying the Arrears of those first raised for His Majesties happy Restauration, and the Arrears and necessary charge of those that are, and shall be raised with the Ammunition and other incident expences of their Militia, in such manner as the present Assessment is now Levied, and not exceeding in any one year the proportion of one months Tax, which the said City now pays towards the Tax of Seventy thousand pounds by the Moneth; And shall be accountable for the same, as by this Act is Ordained; Any thing in this Act to the contrary of this Proviso in any wise notwithstanding.

Provi-

Provided alwaies, That no Officer, or Souldier of the Militia or Trained Bands belonging to any City, Borough or Town Corporate, being a County of it self, or to any other Corporation, or Port Town, who have used and accustomed to be mustered only within their own Precincts, shall be compellable to appear out of the Precincts or Liberties of the same City, Borough, Town Corporate, or Port Town, at any Muster or Exercise only, and every of the said Cities, Boroughs, Towns Corporate, and Port Towns, are hereby chargeable to find their usual number of Souldiers, unless the respective Lieutenants find cause to lessen the same; Any thing in this Act to the contrary notwithstanding.

Souldiers not to appear out of their Precincts.

Provided, That this Act, or any thing herein contained, shall not extend to avoid any Covenant or Agreement which hath been, or shall be made between any Landlord and Tenant concerning the finding Horses or Arms, or the bearing or paying of any Tares, Rates, or other charges by any Tenant, either by general or special Covenants, but that the said Tares, Rates, or other Charges, shall be born and paid by all respective Tenants, according to the said Covenants and Agreements; Any thing in this Act to the contrary thereof in any wise notwithstanding.

This Act extends not to avoid any Covenant between Landlord and Tenant.

Provided, That this Act, or any thing therein contained, shall not extend to make any alteration in the Isle of Wight, as to the Militia in that place, either to raise Horse or Foot within the said Island, in any other manner then hath been formerly, and is now used and practised there.

No alteration in the Isle of Wight.

Provided also, and be it Enacted, That whereas the Militia of the Tower Division in the County of Middlesex, commonly known by the name of the Tower Hamlets, are, & alwaies have been under the Command of His Majesties Constable, or Lieutenant of the Tower, for the Service and Preservation of that his Royal Fort; That it shall and may be lawful for his Majesties Constable or Lieutenant of the Tower, for the time being, to continue to levy the trained Bands of the said Division or Hamlets of the Tower, in such manner and form, as to the number and quality of persons, as was observed in forming the present Forces thereof; Any thing in this Act to the contrary notwithstanding.

Tower company.

Provided, that neither this Act, nor any matter or thing therein contained, shall be deemed, construed, or taken to extend to the giving or declaring of any power for the transporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom otherwise then by the Laws of England ought to be done.

No power to transport Subjects, &c.

Provided alwaies, and be it Enacted by the Authority aforesaid, That no Peer of this Realm shall be charged with Horse, Horse-men and Arms, or Foot-souldiers and Arms, otherwise or in any other manner then is herein after expressed (that is to say) that His Majesty, His Heirs and Successors shall, and may from time to time issue out Commissions under the great Seal of England to so many Peers (not fewer then twelve) as his Majesty, his Heirs & Successors shall think fit, who, or any five or more of them, shall have power from time to time to Assess all & every, or any the Peers of this Realm, according to the limitations & proportions in this Act appointed, for the finding of Horse, Horse-men and Arms, or Foot-souldiers and Arms, and for other the purposes in this Act mentioned (except the monthly Taxes which are to be levied, as is before prescribed in this Act) and shall have power to put in execution all and every the powers & authorities of this Act, as well for laying Assessments, as imposing of Penalties (Imprisonment of the person of any Peer of this Realm only excepted) which Assessment, or Charge so made, together with such penalties as shall be so imposed (imprisonment as aforesaid only excepted) shall be from time to time respectively certified to the respective Lieutenants of each County, to the intent that the said Charge may be born, and the penalties (not before excepted) levied according to the intent of this Act: And that in case there shall be any default in performance of any thing to be done or paid by any Peer by vertue of this Act, that then it shall be lawful for the respective Lieutenants, & Deputy Lieutenants, or any three of them, to cause Distresses to be taken for the same in any of the Lands of such Defaulter with-

Peers how to be charged.



in their said Counties or Limits respectively; And in case satisfaction shall not be given within the space of one week after such Distress taken, then such Distresses to be sold for the performance of the said Service, and the charge incident thereunto, and the overplus (if any be) to be restored to the Owner; And if a Tenant of any Peer of this Realm shall be distrained for such default as aforesaid, the Tenant so distrained is hereby enabled to deduct the sum levied out of his next Rent. Explained per Stat. 15. Car. 2. cap. 4.

## C A P. IV.

An Act for the Uniformity of Publick Prayers, and Administration of Sacraments, and other Rites and Ceremonies: And for establishing the Form of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons in the Church of England.

Preamble.

**W**hereas in the year of the late Queen Elizabeth, there was one Uniform Order of Common Service, and Prayer, and of the Administration of Sacraments, Rites and Ceremonies in the Church of England (agreeable to the Word of God, and usage of the Primitive Church) compiled by the Reverend Bishops, and Clergy, set forth in one Book, Entituled, The Book of Common Prayer, and Administration of Sacraments, and other Rites and Ceremonies in the Church of England, and enjoined to be used by Act of Parliament, holden in the said first year of the said late Queen, Entituled, An Act for the Uniformity of Common Prayer, and Service in the Church, and administration of the Sacraments, very comfortable to all good people desirous to live in Christian Conversation, and most profitable to the State of this Realm, upon the which the mercy, favour, & blessing of Almighty God is in no wise so readily and plentifully poured, as by Common Prayers, due using of Sacraments, and of preaching of the Gospel, with devotion of the Hearers: And yet this notwithstanding, a great number of people in divers parts of this Realm, following their own sensuality, and living without knowledge, and due fear of God, do wilfully and Schismatically abstain, and refuse to come to their Parish Churches, and other publick places where Common Prayer, Administration of the Sacraments, and preaching of the Word of God is used upon the Sundays, and other daies Ordained and appointed to be kept and observed as Holy daies. And whereas by the great and scandalous neglect of Ministers in using the said Order, or Liturgy so set forth, and enjoined, as aforesaid, great mischiefs and inconveniences, during the times of the late unhappy troubles, have arisen and grown; and many people have been led into Factions and Schisms, to the great decay and scandal of the Reformed Religion of the Church of England, and to the hazard of many souls. For prevention whereof in time to come, for settling the Peace of the Church, and for allaying the present distempers which the indisposition of the time hath contracted: The Kings Majesty (according to His Declaration of the five and twentieth of October, One thousand six hundred and sixty) granted His Commission under the Great Seal of England, to several Bishops, and other Divines, to review the Book of Common Prayer, and to prepare such Alterations and Additions, as they thought fit to offer; And afterwards the Convocations of both the Provinces of Canterbury and York, being by His Majesty called, and assembled (and now sitting) His Majesty hath been pleased to Authorize and require the Presidents of the said Convocations, and other the Bishops & Clergy of the same, to review the said Book of Common Prayer, and the Book of the form and manner of the making & Consecrating of Bishops, Priests, and Deacons; And that after mature consideration, they should make such Additions and Alterations in the said Books respectively, as to them should seem meet and convenient; And should exhibit and present the same to His Majesty in writing, for his further allowance, or confirmation; since which time, upon full and mature deliberation, they the said Presidents,

1 El. cap. 2.

Grievance.

Ministers neglect.

Alterations in the Book of Common Prayer.

Bishops,

Bishops, and Clergy of both Provinces, have accordingly reviewed the said Books, and have made some Alterations which they think fit to be inserted to the same; and some Additional Prayers to the said Book of Common Prayer, to be used upon proper and emergent occasions: And have exhibited and presented the same unto His Majesty in writing, in one Book, Entituled, The Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England, together with the Psalter, or Psalms of David, Pointed as they are to be sung or said in the Churches; and form and manner of making, ordaining, and Consecrating of Bishops, Priests, and Deacons: All which His Majesty having duly considered, hath fully approved and allowed the same; and recommended to this present Parliament, that the said Books of Common Prayer, and of the Form of Ordination and Consecration of Bishops, Priests, and Deacons, with the alterations and additions which have been so made and presented to His Majesty by the said Convocations, be the Book which shall be appointed to be used by all that Officiate in all Cathedral and Collegiate Churches and Chappels, and in all Chappels of Colledges and halls in both the Universities, and the Colledges of Eaton and Winchester, and in all Parish Churches and Chappels within the Kingdom of England, Dominion of Wales, & Town of Berwick upon Tweed, & by all that make, or consecrate Bishops, Priests, or Deacons, in any of the said places, under such sanctions & penalties as the Houses of Parl. shall think fit.

Now in regard that nothing conduceth more to the settling of the peace of this Nation (which is desired of all good men) nor to the honour of our Religion, & the propagation thereof, then an universal agreement in the publick Worship of Almighty God; and to the intent that every person within this Realm, may certainly know the rule to which he is to conform in publick Worship, and Administration of Sacraments, and other Rites and Ceremonies of the Church of England, and the manner how, and by whom Bishops, Priests, & Deacons are, and ought to be made, ordained, and Consecrated, Be it Enacted by the Kings most Excellent Majesty, by the advice, and with the consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, and by the Authority of the same, That all and singular Ministers, in any Cathedral, Collegiate, or Parish Church or Chappel, or other place of publick Worship within this Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, shall be bound to say and use the Morning Prayer, Evening Prayer, Celebration and Administration of both the Sacraments, and all other the publick, and Common Prayer, in such order and form as is mentioned in the said Book, annexed and joyned to this present Act, and Entituled, The Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England; together with the Psalter or Psalms of David Pointed as they are to be sung or said in Churches; and the form or manner of making, ordaining, and consecrating of Bishops, Priests, and Deacons: And that the Morning and Evening Prayers therein contained, shall, upon every Lords day, and upon all other daies and occasions, and at the times therein appointed, be openly and solemnly read by all and every Minister or Curate, in every Church, Chappel, or other place of publick Worship within this Realm of England, and places aforesaid.

And to the end that Uniformity in the publick Worship of God (which is so much desired) may be speedily effected, Be it further Enacted by the Authority aforesaid, That every Parson, Vicar, or other Minister whatsoever, who now hath, and enjoyeth any Ecclesiastical Benefice, or Promotion, within this Realm of England, or places aforesaid, shall in the Church, Chappel, or place of publick Worship belonging to his said Benefice or Promotion, upon some Lords day before the Feast of St. Bartholomew, which shall be in the year of our Lord God, One thousand six hundred sixty and two, openly, publicly, and solemnly read the Morning and Evening Prayer appointed to be read by, and according to the said Book of Common Prayer at the times thereby

The altered  
Book of Com-  
mon Prayers  
confirmed.

All Ministers  
shall pro-  
nounce his  
assent to this  
Book.



appointed, and after such reading thereof shall openly and publickly before the Congregation there assembled, declare his unfeigned assent, and consent, to the use of all things in the said Book contained and prescribed, In these words, and no other,

**I** A. B. Do here declare my unfeigned assent, and consent to all, and every thing contained, and prescribed in, and by the Book entituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites, and Ceremonies of the Church*, according to the use of the Church of *England*, together with the Psalter, or Psalms of *David*, Pointed as they are to be sung, or said in Churches; and the form, or manner of making, ordaining, and consecrating of Bishops, Priests, and Deacons.

The Minister  
refusing, to be  
deprived.

And that all and every such person, who shall (without some lawful Impediment to be allowed and approved of by the Ordinary of the place) neglect or refuse to do the same within the time aforesaid (or in case of such Impediment) within one moneth after such Impediment removed, shall (ipso facto) be deprived of all his Spiritual Promotions; And that from thenceforth it shall be lawful to, and for all Patrons, and Donors of all and singular the said Spiritual Promotions, or of any of them, according to their respective Rights, and Titles, to present, or collate to the same, as though the person, or persons, so offending or neglecting, were dead;

Ministers here-  
after to give  
their like con-  
sent.

And be it further Enacted by the Authority aforesaid, that every person who shall hereafter be presented, or collated, or put into any Ecclesiastical Benefice, or Promotion within this Realm of England and places aforesaid, shall in the Church, Chappel, or place of Publick Worship, belonging to his said Benefice or Promotion, within two moneths next after that he shall be in the actual possession of the said Ecclesiastical Benefice or Promotion, upon some Lords day openly, publickly, and solemnly, Read the Morning and Evening Prayers, appointed to be read by, and according to the said Book of Common Prayer, at the times thereby appointed, and after such reading thereof, shall openly, and publickly, before the Congregation there assembled, declare his unfeigned assent, and consent to the use of all things therein contained and prescribed, according to the form before appointed. And that all and every such person, who shall (without some lawful Impediment to be allowed, and approved by the Ordinary of the place) neglect or refuse to do the same within the time aforesaid; (or in case of such Impediment, within one moneth after such Impediment removed) shall (ipso facto) be deprived of all his said Ecclesiastical Benefices and Promotions; and that from thenceforth, it shall and may be lawful to, and for all Patrons, and Donors of all and singular the said Ecclesiastical Benefices and Promotions, or any of them (according to their respective Rights and Titles) to present, or collate to the same, as though the person or persons so offending, or neglecting, were dead;

Deprivation  
for refusal.

The Incum-  
bent, being re-  
sident, must  
read prayers  
once every  
moneth.

And be it further Enacted by the authority aforesaid, That in all places where the proper Incumbent of any Parsonage, or Vicarage, or Benefice with Cure, doth reside on his Living, and keep a Curate, the Incumbent himself in person (not having some lawful Impediment, to be allowed by the Ordinary of the place) shall once (at the least) in every moneth openly, and publickly Read the Common prayers and Service, in, and by the said Book prescribed, and (if there be occasion) administer each of the Sacraments, and other Rites of the Church, in the Parish Church, or Chappel, of, or belonging to the same Parsonage, Vicarage, or Benefice, in

in such order, manner, and form, as in, and by the said Book is appointed, upon pain to forfeit the sum of five pounds to the use of the poor of the Parish for every Offence, upon conviction by confession, or proof of two credible Witnesses upon Oath, before two Justices of the Peace of the County, City, or Town-Corporate where the Offence shall be committed, (which Oath the said Justices are hereby Impowred to Administer) and in default of payment within ten daies, to be levied by Distress and Sale of the Goods and Chattels of the Offender, by the Warrant of the said Justices, by the Church-wardens, or Overseers of the Poor of the said Parish rendering the surplussage to the party.

Penalty.

Conviction.

And be it further Enacted by the Authority aforesaid, That every Dean, Canon, and Prebendary of every Cathedral, or Collegiate Church, and all Masters, and other Heads, Fellows, Chaplains, and Tutors of, or in any Colledge, Hall, House of Learning, or Hospital, and every publick Professor, and Reader in either of the Universities, and in every Colledge elsewhere, and every Parson, Vicar, Curate, Lecturer, and every other person in holy Orders, and every School-master keeping any publick, or private School, and every person instructing, or Teaching any Youth in any House or private Family as a Tutor, or School-master, who upon the first day of May, which shall be in the year of our Lord God, One thousand six hundred sixty two, or at any time hereafter shall be Incumbent, or have possession of any Deanery, Canonry, Prebend, Masterhip, Headship, Fellowship, Professors place, or Readers place, Parsonage, Vicarage, or any other Ecclesiastical Dignity or Promotion, or of any Curates place, Lecture, or School; or shall instruct or teach any Youth as Tutor, or School-master, shall before the Feast-day of St. Bartholomew, which shall be in the year of our Lord, One thousand six hundred sixty two, or at or before his, or their respective admission to be Incumbent, or have possession aforesaid, subscribe the Declaration or Acknowledgment following, Scilicet.

All Ecclesiastical persons are to Subscribe to the following Declaration.

**I** A. B. Do declare that it is not lawful upon any pretence whatsoever, to take Arms against the King, and that I do abhor that Traiterous Position, of taking Arms by His Authority against His Person, or against those that are Commissionated by Him; And that I will conform to the Liturgy of the Church of *England*, as it is now by Law established, And I do declare that I do hold there lies no Obligation upon me, or on any other person from the Oath, commonly called *The Solemne League and Covenant*, to endeavour any change, or alteration of Government, either in Church, or State; And that the same was in it self an unlawful Oath, and Imposed upon the Subjects of this Realm against the known Laws, and Liberties of this Kingdom.

Which said Declaration and Acknowledgment shall be subscribed by every of the said Masters, and other Heads, Fellows, Chaplains, and Tutors of, or in any Colledge, Hall, or House of Learning, and by every publick Professor and Reader in either of the Universities, before the Vice-Chancellor of the respective Universities for the time being, or his Deputy; And the said Declaration or Acknowledgment, shall be subscribed before the respective Archbishop, Bishop, or Ordinary of the Diocess, by every other person hereby enjoined to subscribe the same, upon pain that all and every of the persons aforesaid failing in such Subscription, shall lose and forfeit such respective

Who shall take Subscriptions by those resident at Universities,

All others to Subscribe before their Bishop.

Penalty of not Subscribing.

Deanry,



Deanry, Canonry, Prebend, Masterhip, Headship, Fellowship, Professors place, Readers place, Parsonage, Vicarage, Ecclesiastical Dignity, or Promotion, Curates place, Lecture, and School, and shall be utterly disabled, and (ipso facto) deprived of the same; And that every such respective Deanry, Canonry, Prebend, Masterhip, Headship, Fellowship, Professors place, Readers place, Parsonage, Vicarage, Ecclesiastical Dignity, or Promotion, Curates place, Lecture and School shall be void, as if such person so failing were naturally dead.

School-masters licensed.

Penalty.

Parsons to read the Subscription of publick Service.

Penalty.

The Subscription abridged hereafter.

In these words

**A**ND I do Declare that I do hold there lies no Obligation on me, or on any other person from the Oath, commonly called *The Solemne League and Covenant*, to endeavour any change, or alteration of Government either in Church or State, and that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this Kingdome.

So as none of the persons aforesaid, shall from thenceforth be at all obliged to Subscribe or Read that part of the said Declaration or Acknowledgment.

Subscriptions to be made before Bartholomew Tide.

Provided alwaies, And be it Enacted that from and after the Feast of St. Bartholomew, which shall be in the year of our Lord, One thousand six hundred sixty and two, no person, who now is Incumbent, and in possession of any Parsonage, Vicarage, or Benefice, and who is not already in Holy Orders, by Episcopal Ordination, or shall not before the said Feast-day of St. Bartholomew, be Ordained Priest, or Deacon, according to the form of the Episcopal Ordination, shall have, hold, or enjoy the said Parsonage, Vicarage, Benefice

nesice with Cure, or other Ecclesiastical Promotion within this Kingdome of England, or the Dominion of Wales, or Town of Berwick upon Tweed; But shall be utterly disabled, and (ipso facto) deprived of the same; And all his Ecclesiastical Promotions shall be void, as if he was naturally dead.

And be it further Enacted by the Authority aforesaid, that no person whatsoever, shall thenceforth be capable to be admitted to any Parsonage, Vicarage, Benefice, or other Ecclesiastical Promotion, or Dignity whatsoever, nor shall presume to Consecrate and Administer the Holy Sacrament of the Lords Supper, before such time as he shall be Ordained Priest, according to the form, and manner in, and by the said Book prescribed, unless he have formerly been made Priest by Episcopal Ordination, upon pain to forfeit for every Offence, the sum of One hundred pounds; One moiety thereof to the Kings Majesty, the other moiety thereof to be equally divided between the Poor of the parish where the Offence shall be committed, and such person or persons as shall sue for the same by Action of Debt, Bill, Plaint, or Information in any of his Majesties Courts of Record, wherein no Essoign, Protection, or Wager of Law shall be allowed; And to be disabled from taking, or being admitted into the Order of Priest, by the space of one whole year then next following.

Ministers must be Ordained.

Provided that the penalties in this Act shall not extend to the Forraigners or Aliens of the Forraign Reformed Churches allowed, or to be allowed by the Kings Majesty, his Heirs and Successors in England.

Proviso for Forraign Congregations.

Provided also, that no title to confer, or present by lapse, shall accrue by any avoidance or deprivation (ipso facto) by vertue of this Statute, but after six moneths after notice of such voidance, or deprivation given by the Ordinary to the Patron, or such sentence of deprivation openly and publicly Read in the Parish Church of the Benefice, Parsonage, or Vicarage, becoming void, or whereof the Incumbent shall be deprived by vertue of this Act.

Notice of deprivation and lapse.

And be it further Enacted by the Authority aforesaid, that no Form, or Order of Common Prayers, Administration of Sacraments, Rites or Ceremonies, shall be openly used in any Church, Chappel, or other publick place of, or in any Colledge, or Hall in either of the Universities, the Colledges of Westminster, Winchester, or Eaton, or any of them, other then what is prescribed, and appointed to be used in and by the said Book: And that the present Governour, or Head of every Colledge, and Hall in the said Universities, and of the said Colledges of Westminster, Winchester, and Eaton, within One moneth after the Feast of St. Bartholomew, which shall be in the year of our Lord, One thousand six hundred sixty and two; And every Governour or Head of any of the said Colledges, or Halls hereafter to be elected, or appointed within One Moneth next after his Election, or Collation, and Admission into the same Government, or Headship, shall openly and publicly in the Church, Chappel, or other publick place of the same Colledge or Hall, and in the presence of the Fellows and Scholars of the same, or the greater part of them, then resident, Subscribe unto the Nine and thirty Articles of Religion, mentioned in the Statute made in the Thirteenth year of the Reign of the late Queen Elizabeth, And unto the said Book, and declare his unfeigned assent, and consent unto, and approbation of the said Articles, and of the same Book, and to the use of all the Prayers, Rites, and Ceremonies, Forms, and Orders in the said Book prescribed, and contained according to the Form aforesaid; And that all such Governours, or Heads, of the said Colledges and Halls, or any of them as are, or shall be in Holy Orders, shall once (at least) in every quarter of the year (not having a lawful Impediment) openly and publicly read the morning Prayer, and Service in, and by the said Book appointed to be read in the Church, Chappel, or other publick place of the same Colledge, or Hall, upon pain to lose, and be suspended of, and from all the benefits and profits belonging to the same Government, or Headship, by the

No other Form of Prayer used.

Subscription to the 39 Articles.



the space of Six moneths by the Visitor, or Visitors of the same Colledge, or Hall; And if any Governour, or Head of any Colledge or Hall, suspended for not Subscribing unto the said Articles, and Book, or for not Reading of the Morning Prayer, and Service as aforesaid, shall not at, or before the end of Six Moneths next after such suspension, Subscribe unto the said Articles and Book, and declare his consent thereunto as aforesaid, or read the Morning Prayer, and Service as aforesaid, then such Government, or Headship, shall be (ipso facto) void.

Latine Prayers,

Provided alwaies, that it shall, and may be lawful to use the Morning and Evening Prayer, and all other Prayers, and Service prescribed in and by the said Book, in the Chappels, or other publick places of the respective Colledges, and Halls in both the Universities, in the Colledges of Westminster, Winchester, and Eaton, and in the Conventions of the Clergies of either province in Latine, Any thing in this Act contained to the contrary notwithstanding;

Lecturer and Readers how qualified,

And be it further Enacted by the Authority aforesaid, That no person shall be, or be received as a Lecturer, or permitted, suffered, or allowed to preach as a Lecturer, or to preach, or read any Sermon or Lecture in any Church, Chapel, or other place of publick Worship, within this Realm of England, or the Dominion of Wales, and Town of Berwick upon Tweed, unless he be first approved, and thereunto licensed by the Archbishop of the province, or Bishop of the Diocese, or (in case the See be void) by the Guardian of the Spiritualities, under his Seal, and shall in the presence of the same Archbishop, or Bishop, or Guardian, Read the Nine and thirty Articles of Religion, mentioned in the Statute of the Thirteenth year of the late Queen Elizabeth, with Declaration of his unfeigned Assent to the same; And that every person, and persons who now is, or hereafter shall be licensed, assigned, appointed, or received as a Lecturer, to preach upon any day of the week in any Church, Chapel, or place of publick Worship within this Realm of England, or places aforesaid, the first time he preacheth, (before his Sermon) shall openly, publicly, and solemnly read the Common prayers, and Service in, and by the said Book appointed to be read for that time of the day, and then, and there publicly and openly declare his Assent unto, and Approbation of the said Book, and to the use of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained, and prescribed, according to the Form before appointed in this Act; And also shall upon the first Lecture-day of every Moneth afterwards, so long as he continues Lecturer or preacher there, at the place appointed for his said Lecture or Sermon, before his said Lecture or Sermon, openly, publicly, and solemnly read the Common Prayers and Service in, and by the said book appointed to be read for that time of the day, at which the said Lecture or Sermon is to be preached, and after such reading thereof, shall openly, and publicly, before the Congregation there assembled, declare his unfeigned Assent, and Consent unto, and Approbation of the said Book, and to the use of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and prescribed, according to the form aforesaid; And that all and every such person and persons who shall neglect, or refuse to do the same, shall from thenceforth be disabled to preach the said, or any other Lecture or Sermon in the said, or any other Church, Chapel, or place of publick Worship, until such time as he, and they shall openly, publicly, and solemnly Read the Common prayers, and Service appointed by the said Book, and conform in all points to the things therein appointed and prescribed, according to the purport, true intent, and meaning of this Act.

Provided alwaies, That if the said Sermon, or Lecture, be to be preached or read in any Cathedral, or Collegiate Church or Chapel, it shall be sufficient for the said Lecturer openly at the time aforesaid, to declare his Assent and Consent to all things contained in the said Book, according to the form aforesaid.

And

And be it further Enacted by the Authority aforesaid, That if any person who is by this Act disabled to preach any Lecture, or Sermon, shall during the time that he shall continue and remain so disabled, preach any Sermon, or Lecture; That then for every such Offence, the person, and persons so offending, shall suffer three Months Imprisonment in the common Goal without bail or mainprize, And that any two Justices of the Peace of any County of this Kingdome and places aforesaid, and the Mayor or other chief Magistrate of any City, or Town Corporate, within the same upon Certificate from the Ordinary of the place made to him, or them, of the Offence committed, shall, and are hereby required to commit the person, or persons so offending to the Goal of the same County, City or Town Corporate accordingly.

Penalty of disabled persons preaching.

Provided alwaies, and be it further Enacted by the Authority aforesaid, That at all and every time, and times, when any Sermon, or Lecture is to be Preached, the Common Prayers, and Service, in, and by the said book appointed to be Read for that time of the day, shall be openly, publickly, and solemnly Read by some Priest, or Deacon, in the Church, Chappel, or place of publick Worship, where the said Sermon, or Lecture is to be preached, before such Sermon, or Lecture be preached; And that the Lecturer then to Preach shall be present at the Reading thereof.

Common Prayers to be used before all Sermons.

Lecturer to be present.

Provided nevertheless, that this Act shall not extend to the University Churches, in the Universities of this Realm, or either of them, when or at such times as any Sermon or Lecture is Preached or Read in the said Churches, or any of them, for, or as the publick University Sermon, or Lecture; but that the same Sermons and Lectures may be Preached or Read in such sort and manner as the same have been heretofore Preached or Read, this Act, or any thing herein contained to the contrary thereof in any wise notwithstanding.

University publick Sermons as heretofore.

And be it further Enacted by the Authority aforesaid, that the several good Laws, and Statutes of this Realm, which have been formerly made, and are now in force for the Uniformity of Prayer and Administration of the Sacraments, within this Realm of England, and places aforesaid, shall stand in full force and strength to all intents and purposes whatsoever, for the establishing and confirming of the said Book, Entituled, The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England, together with the Psalter, or Psalms of David, Pointed as they are to be sung or said in Churches, and the form or manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons herein before mentioned to be joyned and annexed to this Act; and shall be applied, practised, and put in ure for the punishing of all offences contrary to the said Laws, with relation to the Book aforesaid, and no other.

Former Laws to stand.

Provided alwaies, And be it further Enacted by the Authority aforesaid, That in all those Prayers, Letanies, and Collects, which do any way relate to the King, Queen, or Royal Progeny, the Names be altered, and changed from time to time, and fitted to the present occasion, according to the direction of lawful Authority.

Prayers for Kings.

Provided also, And be it Enacted by the Authority aforesaid, that a true Printed Copy of the said Book, Entituled, The Book of Common Prayer and Administration of the Sacraments, and other Rites, and Ceremonies of the Church, according to the use of the Church of England, together with the Psalter, or Psalms of David, Pointed as they are to be sung or said in Churches, and the form and manner of Making, Ordaining and Consecrating of Bishops, Priests, and Deacons, shall at the costs and charges of the Parishioners of every Parish, Church and Chappell, Cathedral Church, Colledge, and Hall, be attained and gotten before the Feast-day of St. Bartholomew, in the year of our Lord, One thousand six hundred sixty and two, upon

Books in all Churches.

Penalty for default.



pain of forfeiture of three pounds by the moneth, for so long time as they shall then after be unprovided thereof, by every Parish, or Chappelry, Cathedral Church, Colledge, and Hall, making default therein.

Books in  
Wales.

Provided alwaies, And be it Enacted by the Authority aforesaid, That the Bishops of Hereford, St. Davies, Asaph, Bangor, and Landaff, and their Successors shall take such order among themselves, for the souls health of the Flocks committed to their Charge within Wales, That the book hereunto annexed be truly and exactly Translated into the British, or Welsh Tongue, and that the same so Translated and being by them, or any three of them at the least viewed, perused, and allowed, be Imprinted to such number at least, so that one of the said books so Translated and Imprinted may be had for every Cathedral, Collegiate, and Parish Church, and Chappel of Ease, in the said respective Diocesses, and places in Wales, where the Welsh is commonly spoken or used before the first day of May, One thousand six hundred sixty five; And that from and after the imprinting and publishing of the said book so translated, the whole Divine Service shall be used and said by the Ministers and Curates throughout all Wales within the said Diocesses where the Welsh Tongue is commonly used, in the British, or Welsh Tongue, in such manner and form as is prescribed according to the book hereunto annexed to be used in the English Tongue, differing nothing in any Order or Form from the said English book, for which book, so Translated and Imprinted, the Church-wardens of every the said Parishes shall pay out of the Parish-money in their hands for the use of the respective Churches, and be allowed the same on their Account; And that the said Bishops and their Successors, or any three of them at the least, shall set and appoint the price for which the said book shall be sold; And one other book of Common prayer in the English Tongue, shall be bought and had in every Church throughout Wales in which the book of Common prayer in Welsh is to be had, by force of this Act, before the first day of May, One thousand six hundred sixty and four, and the same book to remain in such convenient places, within the said Churches, that such as understand them may resort at all convenient times, to read and peruse the same, and also such as do not understand the said Language, may by conferring both Tongues together the sooner attain to the knowledge of the English Tongue, Any thing in this Act to the contrary notwithstanding, and until printed copies of the said book so to be Translated, may be had and provided, The Form of Common prayer established by Parliament, before the making of this Act, shall be used as formerly in such parts of Wales, where the English Tongue is not commonly understood.

Prices of the  
Books.

This Act and  
the Book to be  
kept under the  
great Seal.

And to the end that the true and perfect copies of this Act, and the said book hereunto annexed may be safely kept, and perpetually preserved, and for the avoiding of all disputes for the time to come: Be it therefore Enacted by the Authority aforesaid, That the respective Deans and Chapters of every Cathedral, or Collegiate Church, within England and Wales, shall at their proper costs and charges, before the Twenty fifth day of December, One thousand six hundred sixty two, obtain under the Great Seal of England, a true and perfect printed copy of this Act, and of the said book annexed hereunto, to be by the said Deans and Chapters, and their Successors kept and preserved in safety for ever, and to be also produced, and shewed forth in any Court of Record, as often as they shall be thereunto lawfully required; And also there shall be delivered true and perfect copies of this Act, and of the same book into the respective Courts at Westminster, and into the Tower of London, to be kept and preserved for ever among the Records of the said Courts, and the Records of the Tower, to be also produced, and shewed forth in any Court as need shall require; which said books so to be exemplified under the Great Seal of England, shall be examined by such persons as the Kings Majesty shall appoint under the Great Seal of England for that purpose, and shall be compared with the Original book hereunto annexed,

annered, and shall have power to correct, and amend in writing, any Error committed by the Printer in the printing of the same book, or of any thing therein contained, and shall certifie in writing under their Hands and Seals, or the Hands and Seals of any three of them at the end of the same book, that they have examined and compared the same book, and find it to be a true and perfect Copy; which said books, and every one of them so exemplified under the Great Seal of England, as aforesaid, shall be deemed, taken, adjudged, and expounded to be good, and available in the Law to all intents and purposes whatsoever, and shall be accounted as good Records as this book it self hereunto annexed; Any Law, or Custome to the contrary in any wise notwithstanding.

Provided also, That this Act or any thing therein contained, shall not be prejudicial or hurtful unto the Kings Professor of the Law within the University of Oxford, for, or concerning the Prebend of Shipton, within the Cathedral Church of Sarum, united and annexed unto the place of the same Kings Professor for the time being, by the late King James of blessed memory.

Kings Law-  
Professor at  
Oxon.

Provided alwaies, That whereas the Six and thirtieth Article of the Nine and thirty Articles agreed upon by the Archbishops, and Bishops of both Provinces, and the whole Clergy in the Convocation holden at London, in the year of our Lord, One thousand five hundred sixty two, for the avoiding of diversities of Opinions, and for establishing of consent, touching true Religion, is in these words following, Viz.

The 36th Ar-  
ticle explained.

“ That the Book of Consecration of Archbishops and Bishops,  
“ and Ordaining of Priests and Deacons, lately set forth in the time  
“ of King *Edward* the Sixth, and confirmed at the same time by Au-  
“ thority of Parliament, doth contain all things necessary to such  
“ Consecration and Ordaining, neither hath it any thing that of it  
“ self is superstitious, and ungodly; And therefore whosoever are  
“ Consecrated or Ordered according to the Rites of that Book, since  
“ the Second year of the aforesaid King *Edward* unto this time,  
“ or hereafter shall be Consecrated or Ordered according to the  
“ same Rites; We decree all such to be rightly, orderly, and law-  
“ fully Consecrated and Ordered;

It be Enacted, And be it therefore Enacted by the Authority aforesaid, That all Subscriptions hereafter to be had or made unto the said Articles, by any Deacon, Priest, or Ecclesiastical person or other person whatsoever, who by this Act or any other Law now in force is required to Subscribe unto the said Articles, shall be construed and taken to extend, and shall be applied (for and touching the said Six and thirtieth Article) unto the book containing the form and manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons in this Act mentioned, in such sort and manner as the same did heretofore extend unto the book set forth in the time of King *Edward* the Sixth, mentioned in the said Six and thirtieth Article, Any thing in the said Article, or in any Statute, Act, or Canon heretofore had or made, to the contrary thereof in any wise notwithstanding.

Provided also, That the book of Common Prayer, and Administration of the Sacraments and other Rites and Ceremonies of this Church of England, together with the Form and Manner of Ordaining, and Consecrating Bishops, Priests, and Deacons heretofore in use, and respectively

The ancient  
Book to be u-  
sed until Bar-  
tholomew Tide.



established by Act of Parliament in the first and eighth years of Queen Elizabeth, shall be still used and observed in the Church of England, until the Feast of St. Bartholomew, which shall be in the year of our Lord God, One thousand six hundred sixty and two.

## C A P. V.

An Act for Regulating the Making of Stuffs in *Norfolk* and *Norwich*.

Preamble.

**V**hereas divers abuses and deceits have of late years been had, and used in the making of Worstedes, and other Stuffs commonly called *Norwich* Stuffs, and in the Reeling of Yarns, whereof the said Stuffs are either wholly, or in part made, which tends to the debasing of the said Manufacture, unto the prejudice of the publique; which said Trade of Weaving of Stuffs have of late times been very much increased, and great variety of new sorts of Stuffs have been invented, so that the power given by the Statute of the Seventh of Edward the Fourth, Chapter the first, is not sufficient for the Regulating of the same; And that the number of the Wardens by the same Act appointed, being but Eight, are too few for the Governing and Ordering the same Trade, by which means the same Manufacture will soon be lost, (if not prevented) and carried into Forraign Nations, to the great diminution of his Majesties Customs, and turning out of work many thousands of poor people.

St. 7. E. 4. c. 1.

Head Officers  
of Weavers  
chosen for  
*Norfolk* and  
*Norwich*.

For prevention of which abuses, deceits and evils, It is Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords Spiritual and Temporal, and Commons Assembled in Parliament, and by the Authority of the same, That there shall be Twelve Wardens, and Thirty Assistants, all which are to be Master-Weavers within the County of the City of *Norwich*, and County of *Norfolk*; Six of which said Wardens, and Fifteen of the said Assistants shall be chosen the first Monday after Pentecost, in the year of our Lord God, One thousand six hundred sixty and two, and from thenceforth yearly, and every year on the next Monday after Pentecost, at some publique place by the Master-Weavers, or the greater part of them present of the said City and County of *Norwich*; And the other Six Wardens, and Fifteen Assistants shall be chosen upon the same day yearly within the City of *Norwich*, or County of *Norfolk*, in some publique place by the Master-Weavers, or the greater part of them present of the County of *Norfolk*. And the said Wardens respectively shall within Fourteen daies after they shall be so chosen or elected, and notice thereof given, take the Oath ensuing, to be administered by the Mayor of the said City for the time being, or his Deputy, and the Steward of the Duchy of Lancaster within the said County for the time being, if it shall happen the said Steward shall be there present, or else before the said Mayor, or his Deputy onely; which Oath they and every of them are hereby Authorized, and required from time to time to Administer accordingly, Viz. I A. B. Do Swear that I will well, faithfully, and honestly perform and discharge the Office of a Warden of the said Trade of Worsted-Weavers, according to the best of my skill, power and knowledge; And that the said Assistants, and every of them, within the time aforesaid, shall take the like Oath before such person or persons before whom the Wardens shall be sworn for the Execution of that Office of an Assistant; and that if it shall happen that any of the said Wardens, who shall be so chosen, shall refuse to take the said Oath, or after he be sworn, shall dye before the end of the year, That then from time to time, so often as need shall be, it shall and may be lawful, to, and for the Master-Weavers of the said City and County of the City of *Norwich*, and County of *Norfolk* respectively, as the cause shall

Their Oath;

shall require, to choole other Warden, or Wardens, in the place of him, or them so dying, or refusing; who shall be Sworn in such manner as aforesaid.

And for the Regulation, and good Government of the said Trade, and Manufacture, the said Wardens and Assistants, or any thirteen of them, whereof seven to be Wardens, shall, and may from time to time meet and consult together for the good, and benefit of the said Trade and Manufacture; and for the due execution of the Powers, and Authorities given by this Act, so often as to them shall seem expedient, or when it shall be desired by eight, or more of the said Assistants, at the place called Weavers-Hall in the said City, or at such other place as they shall think fit: And that any thirteen or more of the said Wardens, and Assistants, whereof seven at the least to be Wardens, shall have, and hereby have power, and Authority, from time to time, so often as need shall require, to make and ordain By-laws, Rules, and Ordinances, for, and concerning the Regulation of the said Worsted-Stuffs, and other Stuffs now made, and which hereafter shall be made, within the said City, and County of the City of Norwich, and County of Norfolk, and in either of them, both in length, breadth, and goodness, and of such other particulars, as shall by the said Wardens and Assistants so met, or the greater number of them, from time to time be adjudged requisite for the better Regulating the said Trade, and Manufacture, and the Artificers of the same, in the due execution of this Act (and to make Seals from time to time for the Sealing of the same Stuffs) which By-Laws, Rules, and Ordinances, being ratified and confirmed by the Mayor, and two Justices of Peace of the said City and County of Norwich for the time being, and three other Justices of Peace of the said County of Norfolk (whereof one to be of the Quorum) shall be published four times in the year at the least, at four publick Assemblies for the said Trade, and Manufacture, and shall be obeyed and kept by the several persons within and under the said Regulation.

Those Officers to meet and consult about a Regulation.

Power to make by-laws.

Seals to mark Stuffs.

And the said Wardens, and Assistants, shall have, and hereby have power to impose a Fine or penalty upon any person or persons under such Regulation, as shall not conform to such Rules, Orders, and Ordinances so made, and to be made and confirmed as aforesaid. Provided, that the said Fine or penalty upon any person for not conforming as aforesaid, shall not exceed the sum of ten shillings for any one offence.

Power to fine Offenders.

And it is further Enacted, That the Wardens and Assistants of the said City, and County of the City of Norwich, shall from time to time give personal notice unto the Wardens of the said County of Norfolk, or two of them at the least, of the time when they intend to consider of the making of By-Laws, Rules, and Ordinances as aforesaid, and shall let it up in writing upon the doore of their Sealing-Hall, fourteen daies at the least before they shall proceed to the making the same, to the end, that such of the said Country Weavers as are therein concerned, may be there present.

Publick notice to be given of their meeting.

And for the better Regulation and carrying on the work aforesaid; and for avoiding of all Frauds and Deceipts therein; Be it further Enacted by the authority aforesaid, That all Parns called Worsted Parns, and such other Parns, as are commonly used by the Worsted Weavers, shall be made without fraud, and shall be Reeled on a Reel of a full Parn about, and every Reel-staff shall contain fourteen Leas, and every Lea forty threads, twelve of which Reel-staffs, shall make a dozen, and twelve of those dozens shall make a gross: And in case any person or persons shall sell, or expose to sale, any of the said Parns made and Reeled, in any other manner then as is aforesaid, that then every such person or persons, shall forfeit the moiety of the value of the said Parns to the use of the said Trade, and Manufactures, after charges of Suit, and of prosecution, first deducted out of the same, which forfeiture shall be recovered by Action of Debt, Bill, Plaint, Indictment, or Information in any of the Kings Majesties Courts of Record, wherein no wager of Law, Essoyn, or Protection shall be allowed for the Defendant.

Certain contents of yarns.

Penalty of selling by other measures.

And



Officers to  
search for, and  
seize defective  
Yarns.

Trial of the  
defects.

None doubly  
punished.

All weavers of  
Stuffs in Nor-  
wich and Nor-  
folk to be go-  
vern'd by the  
said Officers.

Russel Sattens  
and Norwich  
Fustians.

All Stuffs to  
be searched  
and sealed.

Defective stuffs  
seized.

Trial of the  
defect.

Fines for de-  
fects in stuffs.

And that it shall, and may be lawful to, and for the Wardens and Assistants of the said Trade and Manufactures, or any two of them, from time to time to View and Search in all Fairs and Markets, and other publick places of Sale of Yarns, within the said City of Norwich, and County of the same, and County of Norfolk, and either of them, all Yarns which shall be there exposed to sale, and such of the said Yarns, as they shall find defective, contrary to the Rules herein before set, that then it shall and may be lawful, to, and for the same Wardens, and Assistants, or any two of them, to Seize the same Yarn, and bring the same within twenty daies next after the Seizure thereof to Tryal by a Jury, and to be Proceeded in, and Fined in such manner and form, as in this present Act is limited and appointed for defective Stuffs; which said Jury shall have, and hereby have power to set such Fine or Fines upon the said Yarns, as they shall in their discretions see cause, the same Fines not to exceed the moiety of the Yarn so found defective, and the same Fines to go to the poor of the same Trade and Manufacture, as aforesaid.

Provided alwaies, That no person or persons shall be doubly punished for any one Offence touching Yarns (that is to say) by this, and the former clause in this Act.

And it is hereby further Enacted, That all sorts of Stuffs, whether woven of woollen only, or of wool, and other Materials within the City and County of Norwich, and the County of Norfolk, and the makers and weavers of the same Stuffs, shall be under the power, government, and regulation of the said Wardens, and Assistants, in such manner as by this and other Acts of Parliament, and the By-laws made, and to be made by vertue thereof, are, or shall be established, (except such Stuffs as are under the regulation of the Wardens, and Fellowship of the mystery of Russel Sattens, Sattens, Reverses, and Fustians of Norwich-making, within the City of Norwich;) And that all Stuffs made or to be made under the Regulation aforesaid, before the same shall be offered, or put to sale, shall be brought to Weavers-Hall, for the time being, within the County of the City of Norwich, to be viewed, and searched by the said Wardens, or any two of them; And if the same shall be found to be well and sufficiently made, and wrought according to the Rules and Ordinances of the said Trade, then all such Stuffs shall be by the Wardens, or any two of them, Sealed, and allowed accordingly, without any sum of money paid, or to be paid for the same; And if upon search and view thereof, any such Stuffs shall be found, and appear to be defective, contrary to the Rules and Ordinances of the said Wardens and Assistants, then all such defective Stuffs shall be seized by the said Wardens, or any two of them, and tried by a Jury of twelve Artificers of the said Regulation of Woollen-weavers, six whereof to be of the City of Norwich, and six to be of the County of Norfolk, who shall be from time to time Impanelled by a Precept under the Hand and Seal of the Mayor of the City of Norwich for the time being, or his Deputy; And if any who shall be so Impanelled shall fail in appearance, the number to be made up either of the Master-Weavers of the City of Norwich, or of the County of Norfolk, by a Precept from the said Mayor; Which Jury so Impanelled or taken, and sworn before the Mayor of the said City for the time being, shall try the said Stuffs, and find whether they be made according to this Act, and the By-laws and Ordinances made by vertue thereof, or of any other Act of Parliament, and shall have power to impose a moderate fine according to the nature of the offence, not exceeding the moiety of the value of the defective Stuffs so seized and tried, the same Fines to go to the use of the Trade and Manufacture; And those Stuffs which shall be found defective, to be detained until the Fine or Fines set upon them by the Jury be paid, which if the Owner of the same Stuffs shall not pay to the said Wardens, or some of them, within forty daies after the Trial, then the same Stuffs to be sold by any two of the said Wardens, and the overplus of the moneys thereof coming after the Fines deducted, to be restored to the Owner upon demand.

And

And it is further Enacted, That if any Warden or Wardens shall at any time seal, or cause to be sealed, any Stuffs made under the said regulation, which shall afterwards be discovered by any person to be defective, contrary to this present Act, and the By-laws, Rules, and Ordinances thereupon made, or hereafter to be made, or any of them, and found so to be by a Jury of the twelve Artificers of the said Trade, from time to time to be impanelled and sworn before the said Mayor or his Deputy, and the said Steward of the Dutchy of Lancaster for the time being, if he be there present; And if the said Steward be absent, then before the said Mayor or his Deputy only, of which Jury six shall be of the said City-weavers, and the other six of the said Country-weavers, who shall have, and hereby have power to set and impose a fine upon the Warden or Wardens of the said Trade offending, for every piece of defective Stuff so sealed, as the same Jury in their discretions shall think fit, the same fine not exceeding the sum of forty shillings, which shall be to the use of the Kings Majesty, And that the same Jury, or any other such like Jury, from time to time to be impanelled by, and sworn before the persons aforesaid, or any of them, shall likewise enquire into all, and every other the frauds, abuses, and miscarriages of the Wardens and Assistants, and every of them, in the Execution of their Offices, and correct and punish them, and every of them, for their several offences, in such manner, as is herein before mentioned to be done against any other offenders, who are under the said Regulation.

Penalty of Officers sealing defective stuffs.

Trial.

Provided, that if the said Wardens, or any of them, shall be unjustly molested, and that if such Stuffs, upon trial, shall be found by the Jury to be good, and duly made, or that they, or the Assistants, or any of them, are not guilty of any such frauds, miscarriages, or abuses, as they are complained of for, the person or persons so causelessly molesting, shall pay to the Wardens or Assistants, or any of them, so unjustly molested, double the damages they or any of them, shall or may sustain by any such molestation.

The Officers to recover double damages.

And be it further Enacted by the Authority aforesaid, That it shall not be lawful for any person or persons to buy any piece or pieces of Stuffs, before the same be sealed by the Wardens of the said Trade, saving to the Kings Majesty, his Heirs and Successors, all such right of Customs, Subsidies and Aduage of Norfolk and Norwich-Stuffs, or Woosteds, or any of them, as he or they might lawfully have claimed before the making of this Act: And that if any piece or pieces of Stuffs shall be found in the possession of any person or persons unsealed, except in the possession of the first Owner or Maker thereof, the person or persons in whose custody the same shall be found, shall be adjudged guilty of Deceit, and shall forfeit for every such piece of Stuffe, which be so found in his or their possession, unsealed as aforesaid, the sum of four shillings; And the Maker and Seller of the same, who shall deliver the same out of his or their possession before the same be sealed, shall likewise forfeit for every such piece other four shillings, to the use of the poor of the said Trade and Manufacture.

Penalty of buying unsealed Stuff.

And that if any person shall counterfeit any Seal of the said Trade, or shall seal any piece of Stuffe under the Regulation with any counterfeit Seal, or shall remove a Seal of one piece, and set it unto another piece which hath not been sealed by the Wardens, every person so offending, and being thereof convicted by his own Confession, or by the Oath of two, or more Witnesses, to be taken before the Mayor of the said City or his Deputy, or any one Justice of Peace of the City of Norwich, or County of Norfolk, who respectively have hereby power to administer an Oath for that purpose, shall forfeit for every such offence the sum of twenty pounds of lawful English money, to the use of the Kings Majesty.

Counterfeiting the Seal.

And be it further Enacted by the Authority aforesaid, That no person or persons shall use or exercise the said Trade as a Weaver, unless he hath served to the same Trade as an Apprentice, by the space of seven years, upon pain of forfeiting Forty Shillings for every Month he shall use, or exercise the same Trade,

None to use the Trade but who have been Apprentices.

Trade,



Trade, not having served thereunto as aforesaid, the one half thereof to the Kings Majesty, and the other half thereof to the person or persons who will Sue or Prosecute for the same by Action of Debt, Bill, Plaint, Indictment, or Information, in any of His Majesties Courts of Record.

Weavers Stuff-mark.

And that every person under the said Regulation shall weave his proper Stuff-Mark into every piece of Stuff which he shall weave, or cause to be woven at the head-end of the same piece, upon pain of forfeiting three Shillings for every piece that shall be woven without such Mark, to the use of the poor of the said Trade and Manufacture.

Officers to search any houses.

And the said Wardens and Assistants, or any two or more of them, shall have, and hereby have power to enter into, and search the Houses and Work-houses of any Artificers within the City of Norwich, and County of Norfolk, under the Regulation of the said Wardens and Assistants, and the Shops, Houses, and Ware-houses of any Merchant, Common Buyer, Dealer in, and Retailer of any the said Stuffs, and into the House and Work-house of any Dier, Sheer-man, Callender, or other Workmans house and places of sale, and dressing of the said Stuffs at all times of the day, and usual times of working, and may there search and view the Stuffs there found, whether they be ordered and made according to this present Act, and the Laws, Orders, and Ordinances of the said Trade; And that if any such Stuff as aforesaid, shall be found faulty or defective, That then they, or any two of them, shall seize, take, and carry away the same to be ordered and brought to Trial, and proceeded against in manner and form, as is before in this present Act mentioned and appointed for defective Stuffs.

And seize defective Stuff.

He that keeps two Apprentices shall employ two Journey-men.

And for the better providing that poor Journey-men, who have served in the said Trade, and are not able to set up for themselves may be employed in work, It is hereby Enacted, That whatsoever person under the Regulation of the said Trade, who shall employ two Apprentices in the said Trade, shall likewise employ and set on work two Journey-men in the said Trade, during the time he employes two Apprentices; and that no Master-weaver under the Regulation of the said Trade, shall at any time have, employ, or set on work above two Apprentices, or any week-Boy to weave in a Lombe in the said Trade in Worked-weaving, upon pain that every person shall forfeit for every Month so offending as aforesaid, the Sum of five pounds to the use of the Kings Majesty.

Penalty.

Penalty of opposing the Officers.

And be it further Enacted, That all persons who are, or may be concerned in any thing contained in this present Act, are hereby strictly enjoined and required to yield due Obedience thereunto, according to the true intent and meaning of this present Act; And that if any person or persons shall refuse, hinder, or will not permit the said Wardens or Assistants, or any two or more of them, to execute their Office according to the Tenor of this Act, that then every person so offending, being thereof Convicted by the Oath of one or more credible Witnesses before the Mayor of the said City, or his Deputy, or any one Justice of Peace of the said City of Norwich, or County of Norfolk respectively, who are hereby authorized to administer such Oath, shall forfeit the sum of forty Shillings to the use of the Kings Majesty.

Penalty for non-appearance upon Summons.

And if any Person lawfully Summoned to appear upon any Jury or Trial, according to the Tenor of this Act, shall refuse, or neglect to appear and proceed upon the same, every person so refusing or neglecting, shall forfeit for every such neglect, or refusal, the Sum of five Shillings, to the use of the poor of the said Trade and Manufacture, which said penalties and forfeitures, together with all other fines and penalties, which are appointed to go to the poor of the Trade and Manufacture, or for the use thereof mentioned in this Act, the means of Recovery, of which is not already otherwise herein provided and set forth, shall be levied by distress and sale of the Offenders Goods and Chattels, by warrant to be granted by the said Mayor, or his Deputy for the time being, or any one Justice of Peace of the City of Norwich, or County of

How to be recovered.

Norfolk,

Norfolk, rendering the Over-plus of such distress to the Owner thereof, if any shall be, and the same shall be by him demanded, or otherwise to be recovered by Action of Debt, Bill, Plaint, Indictment, or Information in any his Majesties Courts of Record, wherein no wager of Law, Essoyn, or Protection shall be allowed to the Defendant as aforesaid.

And whereas the Custom hath been retained time out of mind, and found expedient, that there should be a cessation of weaving every year in the time of Harvest, in regard the Spinners of Yarn which the said Weavers do use, are at that time chiefly employed in Harvest-work; Be it Enacted, That no Weaver under the Regulation of the said Trade and Manufacture, shall set any Loom on work for the weaving of any Stuffs under the said Regulation in the time of Harvest yearly, from the fifteenth day of August in every year, untill the fifteenth day of September then next following upon pain of forfeiting to the Kings Majesty the sum of forty shillings for every Loom which shall be used in work within the said time.

No weaving in Harvest time.

Penalty.

And be it further Enacted by the Authority aforesaid, That a true account shall be made at the four Assemblies (to be held quarterly as aforesaid) by the Wardens, before the Mayor of the City of Norwich for the time being, and one of the Justices of the Peace of the said City and County of Norwich, and two Justices of the Peace of the County of Norfolk, of all such Fines and Forfeitures as shall be received and had, belonging to the said Trade and Manufacture, and of the necessary Charges and Disbursements touching the same Trade and Manufacture, and that the Over-plus which shall remain after the said necessary Charges and Disbursements are deducted, shall be divided into two equal parts, the one Moiety thereof to be disposed of by the Wardens and Assistants of the said City of Norwich, or the greater part of them, and the other Moiety thereof by the Wardens and Assistants of the said County of Norfolk, or the greater part of them, for the use of the poor of the said Trade and Manufacture in such manner as the said Mayor and Justices aforesaid respectively shall order and direct, and no other, any thing in this Act to the contrary thereof in any wise notwithstanding.

The Officers to account.

Employment of the Fines and Forfeitures.

And that all Mayors, Justices, Sheriffs, Bailiffs, Constables, and all other Officers, shall be aiding and assisting to the said Wardens and Assistants, or any of them, as often as they shall be thereunto required, and in all Actions and Suits that shall be brought against any person or persons, for acting in any thing according to the true intent and meaning of this Act, the person or persons so Sued, or Molested, shall or may plead the general Issue of not guilty, and give the special matter in evidence, and shall recover double costs in every such case, if the Verdict pass for such person or persons, or that the Plaintiff or Plaintiffs be Non-suit therein.

Publick Officers to be assistant.

Provided alwaies, That this Act, nor any thing therein contained, shall extend to compel the Weavers of the Towns of Great Yarmouth, and Lyn, in the said County of Norfolk, to bring their Wares to Norwich to be Sealed, or be prejudicial to the Weavers of the said Towns, or either of them, to deprive them, or either of them of such Liberties or Priviledges as are granted unto them by an Act of Parliament, made in the fourteenth year of King Henry the Eighth, or by any other Act of Parliament, or Grant, or Charter whatsoever, This Act to begin, and take effect from the fifteenth day of May, One thousand six hundred sixty and two.

Certain Towns in Norfolk excepted.



## C A P. VI.

## An Act for Enlarging and Repairing of Common High-waies.

Preamble.

**W**hereas the former Laws and Statutes for the mending and repairing of the common and publick High-waies of this Realm have not been found so effectual as is desired, by means whereof, and the extraordinary burthens carried upon Wagons, and other carriages, divers of the said High-waies are become very dangerous, and almost unpassable;

Surveyors of the High-waies.

For remedy whereof, Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Churchwardens, and Constables, or Tything-men of every Parish, Town, Village, or Hamlet for the time being, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, shall upon Monday or Tuesday, in the Easter week, yearly (whereof notice shall be publickly given the Sunday foregoing, in the Church, immediately after the end of Morning Prayer) with the advice and consent of the major part of the Inhabitants which shall be then present choole two or more sufficient and able persons, residing and inhabiting within their Parish, Town, Village, or Hamlet, to be Surveyors of their High-waies for the year next ensuing, and give notice thereof in writing to the persons chosen, and for default of such choice, so to be made as aforesaid, the Church-wardens, Constables, or Tything-men, and Inhabitants of every such Parish, Town, Village, or Hamlet, shall forfeit and lose the sum of five pounds.

Penalty for not choosing them.

The Surveyors duty.

And be it Enacted by the Authority aforesaid, That all and every Surveyor, and Surveyors, within twenty daies next after notice given unto him, or them of his and their Election as aforesaid, or of the Publication of this Act, shall upon the penalty of five pounds, View and Survey all the Common and Publick High-waies and Bridges within the Parish, Town, Village, or Hamlet wherein he or they are respective Surveyor or Surveyors, and all Water-courses, Cawleys, and Pavements therein, which are to be Repaired and Amended at a Publick charge of the said Parish, Town, Village, or Hamlet, and shall consider what Reparations shall be needful to be made, and what Sum or Sums of money will be requisite to be raised for the Amending, Repairing, and Enlarging of the same, over and above what will be done by the other Laws made for the Amending of the said High-waies, and thereupon shall together with two, or more substantial householders of the said Parish, Town, Village, or Hamlet, called by the Surveyors to their assistance within ten daies after such Survey made, lay one or more Assesment, or Assesments, upon every Inhabitant rated to the poor, & upon every Occupier of Lands, Houses, Tythes, Impropritate or Appropriate, Portions of Tythes, Coal-Mines, and other Mines saleable, Underwoods, Stock, Goods, or other personal Estate, not being Household-stuff, within the said Parish, Town, Village, or Hamlet, for the Repairing, Amending, and enlarging, of the said publick and common High-waies, as they the said Surveyors, and other the substantial householders, or the major part of them shall think fit, meet, and necessary; which said Assesment or Assesments shall not exceed in the whole above the Sum of Six pence in the pound in any one year, according to the real value of the same; & twenty pounds in Honey, Goods, Stock, or other personal Estate, shall be rated equally to twenty shillings a year in Land; And every such Assesment so made, shall within six daies after be presented to some Justice of the Peace near adjoining to the Parish where it is made, to be seen, allowed, and signed by him; And after such allowance every person so Assessed or Taxed, that shall not within twenty daies after demand made by the Surveyors or one of them, pay such sum or sums of money Assessed on him, or her, or them, unto the Surveyors or one of them,

Power to set an Assesment.

Not exceeding &amp;c.

Justice of Peace to allow of it. Remedy for the Tax.

them, shall forfeit and pay double so much as he, she, or they are Assessed to pay; unless (upon complaint made to the said Justice of wrong done to such person by that Assessment) the said Justice shall think fit to alter the same; And in case where common Nuisances are in High-waies, or where ditches or Water-courses adjoyning unto High-waies, are not scoured and dresed, the said Surveyors shall see the same reformed, and the Offenders punished according to Law, deducting out of the moneys so to be raised, his reasonable charges for prosecution; And for the more effectual mending the High-waies, and Parish-Bridges, and Streets, the Surveyors aforesaid shall yearly at the most convenient and fitting time, between the first of May, and the last of August, hire Labourers, Workmen, Carts, and Carriages, for Amending the High-waies, Streets, Parish-Bridges aforesaid, and Water-courses, and shall cause them to be well and sufficiently mended.

Common Nuisances in High-waies removed.

And for the better effecting thereof, Be it Enacted by the Authority aforesaid, That the said Surveyors, or any of them within their several Limits and Jurisdictions, may yearly, as he shall see cause, and need require, direct and appoint every person and persons, who by the former Laws and Statutes of this Realm are chargeable with Wayn or Cart, to the Amending of the High-waies; and every other person and persons chargeable, to come to labour at the said waies, to send his or her Cart or Wayn and Team so furnished, as by the Laws is directed, or to come and work for the amendment of the High-waies for so many days as by the Laws are appointed, or for so many of them as the said Surveyors shall think needful & appoint; for which Teams, work & labour, the said Surveyors shall pay unto such workmen and Owner of such Teams, Carts, and Wayns, according to the usual rate of the Country, for such work as they shall do over and above what by the other Laws made for the Amending the High-waies they are appointed to do; And if any question shall arise about the value or worth of such work or labour, for man or Teams, some Justice of the Peace near adjoyning, and not living in the said Parish, shall determine what is fit to be allowed for such work; And in case any person so charged to send his or her Team to work, as aforesaid, shall refuse or neglect to do so, such person so refusing or neglecting shall forfeit ten shillings for every day that he or she shall make such default, and every Labourer eighteen pence for such day that he neglects to work as aforesaid.

Carriages and Teams how procured.

Rates for Teams.

Penalty for not sending Carts.

Provided, That no person or persons, occupying any Lands, shall be Assessed and Tared both for the said Lands and the Stock, which he or they shall use or employ upon the same.

Land and Stock on it not both charged.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for the said Surveyors of the High-waies for the time being, of every such Parish, Town, Village, or Hamlet, within their several precincts from time to time, by order from the Quarter-Sessions, and upon the view, and by the allowance or consent of two or more Justices of the Peace of the County, Authorized thereunto by the Sessions, wherein such parish, Town, Village, or Hamlet shall lye, under their Hands and Seals in writing, where any common or publick High-way is not of the breadth of eight yards from the shoars and brinks of the ditches on either side, or from the banks and hedges where there are no ditches, to assign and lay out so much of any mans several Lands next adjoyning to the said common and publick High-way, where they shall think it needfull and it may conveniently be done, as shall enlarge the said way to be the full breadth of eight yards, or so much broader (toward the breadth of eight yards) then now it is as conveniently the place will bear from the said Shoars, Ditches, Banks or Hedges, by the consent of the Owner or Owners of the said Lands according to his or their respective Interests therein, or otherwise by Order of the Justices of Peace at their Quarter-Sessions after a Writ of Ad quod damnum first Issued out, and returned to assign and lay out a new and more commodious way in and over the said Lands next or near adjoyning to the said Common and publick High-waies, the said Surveyors first giving such satisfaction for the said ground unto the respective Owners of the same, according to their several and

Power to enlarge or remove High-waies.

Eight yards broad.



respective Interest in the whole, not exceeding twenty years purchase : Provided alwaies, That if any Common, or publick High-way or waies, shall be so altered and changed, as is aforesaid, that then, and in such case, the same new way or waies, as also any new way or waies altered, or to be altered by a Writ of Ad quod damnum, shall from time to time be repaired and amended by such Parish or Parishes, Town, Hamlet, or Village, or by such person and persons, and in such manner and form, as the said old and former common or publick High-way or waies was, or were to be repaired and amended.

Power to dig  
in waies for  
gravel, &c.

And be it further Enacted by the Authority aforesaid, That where there is not sufficient Gravel, Chalk, Sand, Cinders, or Stones, within any Parish, Town, Village, or Hamlet, to repair their Common, and publick High-waies, it shall be lawful for the Surveyor and Surveyors, and such person and persons as he or they shall appoint, upon the allowance and approbation of any two Justices of Peace within the said County, to dig, take, & carry away Gravel, Chalk, Sand, Cinders, or Stones, out of the Waste and Common of any neighbouring Parish, Town, Village, or Hamlet, or upon the Sea-coast, without paying any thing for the same, for the repairing and amending of the High-waies aforesaid, so as they fill up the place within one month next ensuing, if required by the Owner of the soyl.

In what cases  
gravel, &c.  
may be digg'd  
in anothers  
land.

Provided alwaies, and be it further Enacted by the Authority aforesaid, That where there is not sufficient Gravel, Chalk, Stones, Cinders, and Sand, or other Materials for to repair the High-waies, within the common or waste Grounds of any Parish Town-ship, or Hamlet, for to amend and repair the High-waies therein, it shall and may be lawful for the said Surveyor or Surveyors, or such as they shall appoint, to enter into the feberal grounds (not being an House, Orchard, Garden, Court-yard, Park with Deer in it, or Meadow) of any person or persons within the said Parish, Town-ship, or Hamlet neer adjoyning to the High-waies to be repaired, where any such materials are or may be found, and to dig, take, and carry away from time to time such quantities thereof, as the said Surveyor or Surveyors shall judge necessary for the said reparations, without paying any thing for the said materials, (except only where they have formerly been paid for by Custom, or Composition, and at such rates as heretofore were paid for the same) rendering only such damages to the Occupier or Owner thereof, as he shall sustain by the digging and carriage thereof, to be assessed by two Justices of Peace near the said Parish, in cases of difference about the same : Provided, that the pits and holes so digged, be filled up in such manner and under such penalties as are prescribed in the Statute made in the fifth year of Queen Elizabeth, concerning the amending of High-waies.

5. El. cap. 13.

Carriers and  
other carriages  
with what  
Teams to be  
drawn.

And be it further Enacted by the Authority aforesaid, That from and after the nine and twentieth day of September, which shall be in the year of our Lord, One thousand six hundred sixty and two, no travelling Waggon, Wain, Cart, or Carriage wherein any Burthens, Goods, or Wares, are, or shall be carried or drawn for hire (other then such Carts and Carriages as are employed in and about husbandry and manuring of Lands, and in the carrying of Hay, Straw, Corn unthreshed, Coal, Chalk, Timber for Shipping, Materials for building, Stones of all sorts, or such Ammunition, or Artillery as shall be for His Majesties Service) shall at any one time travel, be drawn, or go in any Common, or publick High-way or Road, with above seven Horse-beasts, whereof six shall draw in pairs, and not with above eight Oxen, or six Oxen and two Horse-beasts, nor shall at any time carry above twenty hundred weight between the first day of October and the first of May, nor above thirty hundred weight between the first of May and the first of October (except such particulars as aforesaid) nor above five Quarters of Wheat, Meal, Peasins, Rye, Pease, Beans, & Tares, nor above eight Quarters of Barley, Malt or Oats, and after that proportion; nor shall any Waggon, Wain, Cart or Carriage, for the uses aforesaid be employed, the Wheels whereof are less in breadth then four Inches in the Tire, upon pain that every Owner of such Waggon, Wain, Cart, Carriage, Horse-beasts,

What weight  
Carts may  
carry.

Breadth of  
Wheels.

or Dren, shall forfeit for every of the said Offences the sum of Forty shillings, to be divided into three equal parts, One part thereof to the Surveyors of the High-ways of the Town, Village, or Hamlet, where any of the said Offences shall be committed, to be employed in the Repairs of the said High-ways, one other part to the Over-seers of the poor of the Parish, where any of the said Offences shall be committed, for the relief of the poor of the said parish; and the other part thereof to him that shall discover and prosecute for any of the said Offences, the said penalty to be levied by Distrels of all or any of the said Horse-beasts, or Dren, and to be distributed, as aforesaid by the Constable, Surveyor, or Surveyors of the said High-ways, Over-seer, or Over-seers of the poor, or any of them; And in case the said penalties shall not be paid within three daies after such Distrels, that then it shall be lawful to and for the said persons so Distraining as aforesaid, to sell the same, and to restore the Overplus to the Owner; the Charges of keeping and selling first deducted.

Penalties.

And be it further Enacted, That all and every the said Offences, shall be, and are hereby declared and adjudged to be common Nuisances.

Common Nuisances.

And be it further Enacted, That if any Suit shall be commenced against any person, for any thing done in pursuance of this Act, that in every such case the Action shall be laid in the proper County where the Fact was done, and not elsewhere; and the Defendant may plead the General Issue, and give this Act and the special matter in evidence at the Tryal; and if it shall so appear to be done, or that it was not done in the County where the said Suit is commenced, that then the Jury shall find for the Defendant; and in such case, as also if the Plaintiff shall be non-suit, or discontinue his Action after the Defendant hath appeared, or if upon Demurrer Judgment be given against the Plaintiff, or if upon tryal a Verdict pass for the Defendant, the Defendant shall have his double Costs, and the like Remedy for the same as any Defendant hath in any other Case by Law.

Officers sued may plead the General Issue.

Double Costs for the Debr.

And be it further Enacted by the Authority aforesaid, that all sums of money so rated and assessed as aforesaid, and all charitable Gifts formerly given, or to be given, for the making, amending, and keeping in repair of any common and publick High-ways, Pavements, and Cawleys, (except as hereafter is excepted) and all Fines, penalties, Forfeitures, and other sums of money arising by Assessment, or otherwise by this Act, not otherwise by this Act disposed of; and all Issues to be forfeited for not appearing to any Information or Indictment, for not repairing any High ways, or removing Nuisances out of the same, and all Fines and Amercements to be imposed upon any Parish, Town, Village, or Hamlet, or upon any private person, for not repairing of common and publick High-ways, which are not otherwise disposed by this Act, shall be employed and bestowed by the said Surveyors within the respective Parishes, Towns, Villages, and Hamlets, to which such charitable Gifts are given and bestowed, and within which such Assessments, Fines, Penalties, Forfeitures, Issues, and Amercements, are imposed, happened, or made, in paying for Materials, Workmens wages, and for such other employments, as are hereby appointed to be done and performed, and be levied, collected, and gathered by the said Surveyors, or any of them, by Warrant under the Hands and Seals of any two Justices of Peace within the County, City, Riding, Town-Corporate, Liberty, or Limit wherein the same lieth, by Distrels and Sale of the Goods, as is aforesaid.

Charitable Gifts, Fines, &amp;c. to be employed to amend High-ways.

And be it further Enacted by the Authority aforesaid, that every person so Elected and taking upon him or them the Office of Surveyor or Surveyors, as aforesaid, shall within One Month next after the expiration of the year wherein he executed the said Office as Surveyor of the High-ways, make and yield up to the Inhabitants of the Parish, Town, Village or Hamlet, at some publick Meeting, to be appointed by the said Inhabitants, a perfect Accompt in Writing under his and their Hands, of all the monies he or they received or paid

Surveyors to accompt.

paid



And to pay  
the money to  
the succeeding  
Surveyors.

Penalty of  
Surveyors not  
accounting  
and paying.

Who may in-  
quire of money  
given to repair  
High-waies.

Appeal there-  
in.

No Certiorari  
to remove  
Proceedings  
upon this Act.

Without Secu-  
rity to pay da-  
mages and  
costs.

Laycock.

Foot-Bridge.

Key-Bridge.

paid within his or their year, for or by reason of his or their Office; namely of whom, and what Received, and to whom, and what paid, and what Monies are in arrear and unpaid, either for Assessments, Fines, Forfeitures, Penalties, and charitable Gifts; and if any Overplus be in his or their Hands, he or they shall return and pay the same to the next Surveyors, or one of them, for the use of the Parish, Town, Village or Hamlet, to be disbursed in and about the High-waies, in the following year; and if the said Surveyor or Surveyors shall not make such an Account and Payment as before, any two Justices of the Peace, living near to, or in the said Parish, shall and may upon complaint unto them made, examine the business upon Oath, and upon default found in the Survey, or or Surveyors, shall and may commit him or them to the common Goal of that County, City, Riding, Town-Corporate, Liberty, or Limit, there to remain until he hath made a true and perfect Account and Payment, as aforesaid.

And be it further Enacted, that all and every Justices of Assize, Oyer and Terminer, and Justices of the Peace, shall have power and authority, and are hereby enabled and impowred to inquire after, hear and determine all matters concerning charitable Gifts, for the making, amending, and keeping in repair any common High-waies, Pavements, Streets, and Tawleys, within the limits of their Commission, and to make Orders therein for the due imployment of such charitable Gifts, according to the true intent and meaning of the Donors thereof; Except Gifts to the aforesaid Uses made to any Colledge, Hall, Free-School or Hospital, which have Visitors of their own, and also to hear and determine all Offences, Defaults and Defects in Surveyors or others, concerning the Premises.

Provided, that if any person be agrieved with such Order, they shall have liberty to appeal to the Court of Chancery, as in the case of a Decree made upon the Statute of charitable Uses.

And be it further Enacted by the Authority aforesaid, that from and after the First day of May, One thousand six hundred sixty and two, no Certiorari shall be allowed to remove any Information, Indictment, Presentment, Order, or other proceedings in the Quarter-Sessions, of, for, or concerning any matter or thing in this Act, unless the party or parties against whom any such Information, Indictment, Presentment, Order, or other proceedings shall be had by virtue of this Act, shall before the allowance of such Certioraries, become bound to the person or persons prosecuting, in the sum of Forty pounds, with such sufficient Sureties as the Justices of Peace at their said Quarter-Sessions of the Peace shall think fit, with condition to pay unto the said prosecutors, within One Month after the Conviction of such parties Indicted, their full costs and damages, to be ascertained upon their Oaths, and that in default thereof it shall be lawful for the said Justices to proceed to tryal of such Indictments, any such Writs of Certiorari to remove the same Indictments notwithstanding.

And whereas at a general Quarter-Sessions held for the County of Wilts, It was (at the humble Petition of the Petitioners of Laycock, and other Inhabitants of the said County) Ordered, That one ancient Bridge called Foot-Bridge, leading through the said Parish, between London, Bath, and Bristol, (being more commodious for all Passengers then one other Bridge in the said parish, called Key-Bridge) should be repaired, and made passable for all Carts, Wagons and Carriages (with the Materials of Key-Bridge) which was thereby Ordered to be taken down, which Order was accordingly put in Execution in the said County and Parish; Be it therefore Enacted by the Authority aforesaid, That the said parishioners, and all others employed by them in the pulling down the said Bridge called Key-Bridge, and employing the Material thereof as aforesaid, shall be, & are hereby indemnified from all suits, troubles, and molestations whatsoever, touching or concerning the same, and that the said Parishioners of Laycock, and other the aforesaid Inhabitants, shall not hereafter be compelled by Information or Indictment, or any other way be made chargeable with

with the re-building of the said Bridge called Key-Bridge, otherwise then for the maintaining the said Bridge, sufficient for Horse and Pack, as it now stands, Any Law or Statute to the contrary in any wise notwithstanding.

Provided likewise, and be it Enacted, that this Act shall not extend to exempt any Owner, Farmer, or Lessee of any Iron-work; or other person within the Wides of the Counties of Surrey, Sussex, or Kent, for carrying so many loads of Cinder, Gravel, Stones, and other Materials, or contributing such sums of money towards the amending and repairing of the High-waies, as they are obliged to by any former Acts.

Waies in Surrey, Kent, and Sussex.

And be it further Provided and Enacted, that where the Justices of the Peace of any County, at their General Quarter-Sessions, or any two of such Justices, neer to any Parish, Township, or Hamlet, shall be fully satisfied that the High-waies and Bridges within the same, may and will be sufficiently amended and repaired, according to former usage, without the help of this Act, that then, and in such cases only, there shall no Assessment be made within the same, for and towards their reparations, by vertue of this Act.

No assessment by this Act where the former Taxes suffi.c.

Provided also, and be it further Enacted by the Authority aforesaid, that the Justices of Peace of the County of Middlesex, in their publick Sessions of the Peace, shall have power and authority to make Orders for erecting or setting up a new Bridge of Brick or Stone, fitting for the passage of Carts and Carriages, in the room and place of a Bridge now only passable for Foot and Horse, called Stratford-Bridge, in the Parish of Hillington, in the said County, or in some other more convenient place neer thereunto, at the present charge of the whole County, for the erecting of the same; but to be upheld, repaired, and maintained, after it be so erected, at the charge of the Lord of the Manor wherein the said Bridge now standeth, proportionable to the charge he is now at, for maintaining the Horse-bridge, and the residue of the charge to be born by the Parishioners of the said Parish; For which purpose the said Justices of the Peace, at their said publick Sessions, are hereby enabled to make respective Rates accordingly, so as the sum to be assessed for the erecting the said Bridge, exceed not the sum of One hundred pounds: And the said Justices are to take care that the said Bridge be finished by or before the first day of August, in the year of our Lord God, One thousand six hundred sixty and three.

Stratford-bridge made passable with Carts, at a publick charge

Rates for it.

And be it Enacted by the Authority aforesaid, that the said Surveyors do take care that all and every Bridge or Bridges within their respective Limits, shall before the Feast of St. Michael, One thousand six hundred sixty and two, have sufficient Walls, or Posts and Rails, of each side thereof, four Foot high at the least; and that the said Walls, or Posts and Rails, be from time to time kept in sufficient repair.

Bridges to be Railed or Walled,

Provided also, and be it Enacted by the Authority aforesaid, that the Surveyors of the High-waies, named for the year One thousand six hundred sixty and two, shall within twenty daies after the publication of this Act proceed to do and execute all things in this Act for the said year One thousand six hundred sixty two; And where there are no Surveyors of the High-waies chosen for the said year One thousand six hundred sixty two, they shall be chosen within twenty daies after publication of this Act, by such persons as by this Act is appointed; and being so chosen, they shall hereafter do and execute all things according to the tenure of this Act.

The present Surveyors to act, and new ones chosen.

Provided also, and be it Enacted by the Authority aforesaid, that where any Lands are lett, the Tenant and Occupier thereof shall pay the Assessment, and bear all charges for the mending of the High-waies, and not the Landlord; Except where there is, or shall be any Agreement between the said Landlord and the Tenant to the contrary.

The Tenant may pay the Tax.

Provided also, and be it further Enacted, that the power of Raising and Levying money by vertue of this Act, shall continue in force for three years only, from the five and twentieth day of March, One thousand six hundred sixty

Power of new Taxes to continue but three years.

and



and two, and no longer, but that all other Powers and Clauses in this Act shall continue and stand in force until the end of the first Session of the next Parliament, and no longer.

## C A P. VII.

An Act to restrain the Exportation of Leather, and Raw Hides out of the Realm of *England*.

Preamble,

**V**hereas notwithstanding the many good Laws before this time made, and still in force, prohibiting the Exportation of Leather out of this Realm, and the penalty by those Acts imposed, by the cunning and subtilty of some persons, and the neglect of others, who ought to take care thereof, there are such quantities of Leather daily exported to foreign parts, that the price of Leather is grown to those excessive Rates, that many Artificers working Leather, cannot furnish themselves with sufficient Store thereof, for the carrying on of their Trades; and the poor sort of people are not able to buy those things made of Leather, which of necessity they must make use of:

Leather and  
Hides not ex-  
portable.

For redress of which griefs, Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, That from and after the first day of May now next ensuing, no person or persons whatsoever, shall carry, or transport, or cause to be carried or transported out of England into Scotland, Ireland, or into any of the Isles belonging to this Kingdom, or to any parts beyond the Seas, the Skins or Hides Tanned or Untanned of any Ox, Steer, Bull, Cow, or Calf, otherwise, or in any other manner, then is by this present Act directed.

No Hides in  
any Island (but  
Ireland) ex-  
portable out  
of that Island.  
Penalty,

And be it further Enacted by the Authority aforesaid, That none of the Skins or Hides aforesaid, which shall happen to be taken from any of the Beasts aforesaid, within any Island whatsoever, belonging to the Kingdom of England (except Ireland) shall be transported out of that Island to any other place, but into the Kingdom of England, upon pain of forfeiting for every such Offence double the value of Skins or Hides, so to be transported out of the said Island, or any of them, to any other place, then into the Kingdom of England, the same forfeiture to be sued for and disposed as hereafter in this Act is directed.

Leather may  
not be sold  
out of open  
Markets.

Penalty.

And for the better preventing of such mischiefs as are intended to be remedied by this Act, Be it Enacted by the Authority aforesaid, That all Red tanned Leather made of the Hides or Skins of any of the Beasts aforesaid, of what kind or nature soever shall be bought only in the open, and common Fair or Market used for the putting off Leather to sale, and not in any House, Tanners-yard, Shop, or other place whatsoever, on pain that such person, or persons that shall not accordingly do the same, shall for every such Offence forfeit the same Leather, or the value thereof, and the contract for the sale thereof shall be void, and all such Leather shall be Searched and Sealed, by the Searchers and Sealers thereunto appointed, before the same be put to sale, and upon such sale shall be Registered, and a true Entry thereof made, both by the Buyer and Seller, who are both to be present at such Registering thereof, and both their names and places of abode entered into the book of the said Register, on pain that every such Buyer, or Seller, that shall not accordingly do the same, shall for every such Offence forfeit the same Leather, or the value thereof, and the forfeiture shall be recovered and employed in such manner as hereafter in this Act is directed.

Leather  
Searched and  
Sealed.  
Sale registred.

Penalty.

Penalty 500 l.  
to transport  
Leather.

And be it further Enacted by the Authority aforesaid, That if any person or persons shall be found guilty of the transportation of any Leather, or Raw-hides of any of the Beasts aforesaid, (excepting such Calveskins, and Sheepskins,

skins, dressed without the Wool, as by Law may be transported) contrary to the provision of this Act, he shall from thenceforth be disabled to trade, or deal in Leather for the future, and shall for every such Offence forfeit the sum of five hundred pounds to be sued for, and disposed as hereafter in this Act is directed.

Provided nevertheless, That this Act, or any thing therein contained shall not extend to the prohibiting the transportation of any Leather made into Boots, Shoes, or Slippers, but that the same may be transported, Any thing in this Act contained to the contrary notwithstanding.

Leather Manufactures may be Exported.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to, and for the respective Masters, and Wardens of the Cordwainers, Saddlers, Binders, and Curriers of the City of London, and their Deputies, and all Customs, Comptrollers, Farmers of Customs, Supervisors, Searchers, and other Officers belonging to the Customs, and to and for all Justices of the Peace, Mayors, and chief Officers of Corporations within this Realm, Dominion of Wales, or Town of Berwick upon Tweed, from time to time, as well by Land as Water, to search for, and seize any Leather, or raw Hides wrought, or unwrought, cut or uncut, packed up, or unpacked, intended or purposed to be transported by any person or persons into any the parts beyond the Seas, or unto Scotland, other then Calve-skins, and Sheep-skins as aforesaid.

Who may search and seize Leather Exporting.

And whereas divers Tanners do shave, cut, and rake their upper leather Hides all over, and the necks of their backs; and butts to the great unpairing thereof, and the extreme prejudice of the Kingdom; Be it therefore Enacted by the Authority aforesaid, That every Tanner, who after the Nine and twentieth day of September, in the year of our Lord, One thousand six hundred sixty and two, shall commit any such Offence, as aforesaid, shall forfeit all the said Leather, Backs, Butts, or Calve-skins; so shaved, cut or raked; or the value thereof, and it shall be lawful for the Searchers and Dealers of Leather to seize the same.

Tanners injuring Leather.

And be it further Enacted, That the Market for Leather in Leaden-Hall in London, shall be kept on the Tuesday, as now it is, Any Law, Usage or Custom to the contrary in any wise notwithstanding.

Leaden-Hall Market.

And be it further Enacted by the Authority aforesaid, that all the penalties and forfeitures, and every sum, and sums of money for any Offence, or Offences herein before mentioned, shall be recovered by Action of Debt, Bill, Plaint, Information to be brought for the same in any Court, or Courts at Westminster, or in any Court, or Courts of Record in the City, Town, County, or place where the said Offence shall be committed, wherein no Wager of Law, Protection, or Essoign, shall be admitted, neither shall the same be removed out of the said County, City, or Town-Corporate, the one half of the said forfeitures to be to the use of the Kings Majesty, His Heirs and Successors, and the other half thereof to the use of the Informer or Informers, that shall sue for the same.

How the penalties shall be recovered.

Provided also, and be it Enacted, that all such Exportation, or Transportation of any Hides or Leather, contrary to this Act, is hereby adjudged, and declared to be a common and publick Nuisance.

Exporting Leather a common Nuisance.

Provided nevertheless, that this Act shall not extend, or be construed to prohibit the carrying or conveying of any such Hides or Leather, which shall be used, or employed for the necessary use, or provision of any Ship or Vessel in any Voyage beyond the Seas, and which shall not be sold in any foreign parts, so as the number do not exceed Six raw Hides, and Three tanned Hides.

Leather useful in a Sea-voyage.

Provided alwaies nevertheless, And be it further Enacted by the Authority aforesaid, That all and every Artificer dealing in cutting of Leather, or other person, or persons whatsoever, which shall hereafter Buy any Red tanned Leather within the City of London, or three miles thereof shall

Leather to be curried.



before the next Market-day within the said place for sale of Leather, give notice thereof to one or more of the Company of Curriers then exercising and using the Art and Mystery of a Currier within the said City of London, and three miles thereof, and within three weeks after such notice shall deliver or cause to be delivered the said Leather so bought, except such part thereof as shall be used for Soals without being curried, tallowed, or dyed, unto the said Currier, or Curriers, to whom such notice was given, to the intent that the same may be curried, tallowed, or otherwise dyed, as is directed, and appointed by one Act made in the first year of King James, Chapter twenty second, touching the duty of Tanners, Curriers, Shoemakers, and others, upon penalty of the forfeiture of Six shillings eight pence for every Back, But, Hide, or Calves-skin so bought, and not delivered as aforesaid for the uses, and to be recovered, as aforesaid.

Stat. 1. Jac. 22.  
recited.

Curriers to  
search for, and  
seize bad Leather.

Penalty of  
opposing Search-  
ers.

And whereas it is Enacted amongst other things by the said Act, made in the first year of King James, That no person, or persons, shall by any means occupy, or put in any Ware-ware within the City of London, or three miles of the same City any curried Leather before the same shall be Searched, and allowed by the Wardens of the Curriers of London for the time being, or such persons as they shall thereto assign, and be Sealed with a Seal therefore to be prepared, upon pain that every Shoemaker and other Artificer, Cutter of Leather offending against that Article, should forfeit for every Hide, or Skin otherwise curried or imployed as is aforesaid Six shillings eight pence, and the value of every such Hide or Skin; Be it therefore further Enacted by the Authority aforesaid, That the Master and Wardens of the Company of Curriers for the time being, or such persons as they shall thereto assign, shall from time to time, and at all seasonable times, in the day time enter into any Warehouse, Shop, Sellar or other place; within the said City of London, or three miles of the same City belonging unto any of the said Cordwainers, Sadlers, Binders, or other person, or persons being Artificers, dealing in cutting Leather, and in the presence of any two or more of them to search for, and seize all such Leather intended to be prohibited to be used by the said Clause; Branch, or Article, as aforesaid, as also for all Wares made of such Leather, and if any such person, or persons, Artificers or Dealers as aforesaid, shall oppose, or refuse to permit the said Master and Wardens of the Company of Curriers, or such persons as they shall thereto assign, to make any such search or seizure as aforesaid; he or they shall forfeit for every such Offence the sum of Twenty pounds for the uses and to be recovered as aforesaid; And if any of the said Artificers and Dealers, in cutting of Leather do refuse to be present with the said Searchers, whensoever the same shall be desired by the said Master and Wardens of the Company of the Curriers, or such persons thereto assigned by them as aforesaid, then for every such default the persons so refusing shall forfeit the sum of Ten pounds for the uses and to be recovered as aforesaid.

## C A P. VIII.

An Act for Distribution of Threescore thousand pounds amongst the truly Loyal and Indigent Commission-Officers, and for Assessing of Offices, and Distributing the Moneys thereby raised for their further supply.

**V**Hereas there was a Loyal Party, which through all hazards and extremities, in the defence of the Kings Person, Crown and Dignity, the Rights and Priviledges of Parliament, the Religion, Laws, and Honour of the English Nation, did bear Arms by the Command of His late Majesty, of ever blessed memory, according to their duty, and the known Laws of this Land: and did with an untwearied Courage, Faith and Constancy, with their Lives and Fortunes oppose that barbarous Rebellion raised against His most Excellent Majesty, in the year One thousand six hundred forty and two, by some of the men then sitting at Westminster, till by express Orders from His Sacred Majesty, in One thousand six hundred forty and six, the said loyal and worthy persons were commanded to render and disband; which Orders being obeyed, and a new discovery being made of further Treasons against the life of their most gracious Sovereign, they entered into several fresh Attempts to save Him, in which, some fell a noble Sacrifice for their Country, and the rest asserted, with the same vigorous and active Loyalty, after the horrid murder of that glorious Prince, the Rights and Interests of His Royal Successor; and with the same restless zeal opposed all succeeding Usurpations, until that Great Captain the Duke of Albermarle (a person for ever to be remembered by all English men with Honour and Admiration) and other worthy persons did improve the long expected opportunity of their Conjunction with the Loyal Party of this Nation, by means whereof His Sacred Majesty returned in Peace and Triumph; and in the safety and government of His gracious Majesty, all the good people of England are restored to the well-being of the Publick, and to all their Laws, Liberties, and Fortunes.

Preamble.

Infignia Ducis  
Albermarle.

We therefore the Lords and Commons, for the perpetual memory of the eminent deservings of the said Loyal Party, and the encouragement of Loyalty to future Ages, do hereby declare and make manifest our high esteem of their great services and sufferings, exceeding all possibility of present compensation, but that provision might be made for their honourable Wants (so far as stands with a Kingdom exhausted by the Rapine and Oppression of a long Rebellion) we have elsewhere beseeched Your most Excellent Majesty to Enact a certain Annual Rate upon Parishes, for the supply of all the Loyal and Suffering Souldiers in general. And we do herein, most humbly beseech Your Majesty, that it may be Enacted; And be it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the sum of Threescore thousand pounds be with most convenient speed, distributed amongst such truly Loyal and Indigent Officers, who have had real Command of Souldiers, according to their several Commissions, and who have never deserted His Majesty, nor His blessed Fathers Service, during the late times of Rebellion and Usurpation, and who have not a sufficient livelihood of their own; nor have since His Majesties return obtained any Reward, Office, or Employment, sufficient for a livelihood, by such waies, means, and proportions as shall be hereafter appointed.

60000 l. to be  
distributed.How Officers  
relieved a c to  
be qualified.

And to that purpose, it is hereby Enacted by His most Excellent Majesty (out of His special Grace and Favour towards His faithful Souldiers and Servants) that threescore thousand pounds of good English Money be paid unto such person, as shall be chosen Treasurer by the Commissioners,

To be paid to  
the Treasurer.

C c 2

according



according as is hereafter declared at such time or times, and by the waies and means following, (that is to say)

How the money shall be raised.

14. C. 2. cap. 3.

That all the several Monies or Taxes arising out of the Assessments, of, and from the Counties of Cornwall, Rutland, Monmouth, Lancaster, Westmerland, and Anglesey, for all the Eighteen Moneths according to an Act, Intituled, An Act for granting unto the Kings Majesty Twelve hundred and threescore thousand pounds, to be Assessed and Levied by an Assessment of Threescore and ten thousand pounds by the Moneth for Eighteen Moneths, shall be duly paid unto such Treasurer, as aforesaid, by the respective Receiver-General, or such other person or persons, as are, or shall be appointed by His Majesty for the Receipt thereof, in all, or any the said Counties according to the several times and daies of Payment, directed them in the said Act, Any thing in the said Act contained to the contrary notwithstanding. And upon payment of the said Monies accordingly, the Acquittance under the Hand and Seal of such Treasurer, as aforesaid, shall be a sufficient Discharge to any such Receiver-General, for such respective payment, against the Kings Majesty, and every other person or persons whatsoever; and after such payment made, no such Receiver-General shall undergo any trouble or payment of Fees, by reason of Process from the Exchequer for the same Monies: But if any such Receiver-General, or such other person or persons, as are or shall be appointed by His Majesty for the Receipt of such Assessments, in the said several Counties, shall refuse or fail to pay the same respectively unto such Treasurer, as aforesaid, according to the times and daies of payment aforesaid, that then it shall and may be lawful for such Treasurer to sue for the same in any Court of Record at Westminster, and to recover the same with damages.

Commissioners to grant Certificates.

And be it Enacted, That for granting Certificates to such Officers as are before declared, all, and every the persons hereafter named shall be Commissioners, of, and for the several and respective Counties, Cities, Burroughs, Towns, and places, hereafter named, that is to say, &c.

The Commissioners to apportion the money.

And be it further Enacted, That all the persons above named, or any Nine or more of them, shall be Commissioners hereby Authorized to apportion the monies which shall be received or raised by vertue of this Act, and for executing all the Powers and Clauses of this Act, in manner following: That is to say, They, or any Nine or more of them, are hereby directed and appointed to meet First in the Star-Chamber near Westminster Hall, on the First day of June, One thousand six hundred sixty and two in the Afternoon, and from and after that time, they are to meet in the said place every Tuesday only in the Afternoon, until the powers and duties directed in this Act be fully executed and finished; And at their said first meeting, they, or the Major part of them, shall Nominate a Treasurer, a Register, and one or more Collector or Collectors, taking good & sufficient Security severally of them for discharge of their several Trusts, to whom the said Commissioners may make such allowance upon the clearing their Accompts for necessary Expences and Salaries, as they shall judge reasonable; so as such Allowance and Salaries, together with all contingent expences whatsoever, shall not exceed Three pence in the pound, out of what shall be Assessed and Received by any person or persons by vertue of this Act; And to the end that the Commissioners sitting at Westminster, may know to whom and in what proportions the Monies to be Received and Levied by vertue of this Act shall be apportioned and distributed, the respective Commissioners in the several Counties are hereby directed and appointed to send Certificates, as is hereafter declared, unto the Commissioners sitting at Westminster, concerning all such Officers as aforesaid, in each respective County some time before the Nine and twentieth day of September, One thousand six hundred sixty and two, which said Certificates, shall be Signed and Sealed by the major part of the Commissioners which shall be present at such publick meetings; and all such

Register. Collector.

Ter.

Certificates shall be safely kept by the said Register, and Breviates of every such Certificate shall be fairly entred by him into a book, in such method as the Commissioners shall direct, and the said Register shall also from out of the Journal of the Commissioners Orders and Proceedings, transmit and enter against the Breviate of each Officers Certificate, the Sum of Money Ordered to him by the Commissioners for his proportion, according to the distribution by vertue of this Act.

And it is hereby declared, That after the said nine and twentieth of September, One thousand six hundred sixty and two, no Certificate shall be admitted, nor any distribution thereupon made. Time limited for Certificates.

And to avoid mistakes, it is further Enacted, That every Certificate shall particularly describe the degree and quality of the Officer therein certified, and shall recite the qualifications, according to this Act, of such as ought to receive distribution in manner following; To the Honourable the Commissioners for distributing the moneys given by Act of Parliament, amongst the truly Loyal and indigent Officers, These are to Certifie, That it doth appear unto us, That A. B. of C. was a Captain, &c. (Et sic mutatis mutandis) and that he is truly loyal and indigent, and hath had a real command of Souldiers according to his Commission, and hath never, to the best of our knowledge or information deserted his Majesties, or his blessed Fathers Service, during the late times of Rebellion and Usurpation; and that he hath not a sufficient livelihood of his own, nor hath since his Majesties Return obtained any Reward, Office, or Imployment, sufficient for a livelihood; Wherefore we do hereby recommend him as a person fit to receive a proportion of all such moneys as are to be by you distributed according to Act of Parliament; and every such Certificate shall be Signed and Sealed by the major part, or any five of the respective Commissioners of any County, Cities, or Places respectively, where the Officer so certified, doth at present reside, otherwise the Certificate shall be invalid, and not to be allowed by the Commissioners sitting at Westminster, as aforesaid. The manner of the Certificate.

And be it further Enacted, That the said Commissioners, or any nine or more of them, meeting at Westminster in manner as is before declared, shall, and may, according to their best discretions, after the first day of November, One thousand six hundred sixty and two, proportion the moneys to be received or levied by vertue of this Act, amongst such Officers as aforesaid, according to the number of such true Certificates then sent in; and that they afterwards proceed to Note, and Order payments to be made to every of such Officers or their Assigns, or to such person whom such Officers, or any of them, shall under Hand and Seal, before two sufficient Witnesses depute to receive the same respectively, and after such Note and Order thereupon, the said Commissioners, or any seven of them present at the making such respective Order or Orders, are hereby directed to issue forth several Warrants according to the several Orders for payment of the several proportions or distributions of the said moneys to such Officer or Officers as aforesaid, or to his or their Deputy or Assignee as aforesaid; but the said Commissioners shall issue forth no Warrants for payment of any moneys, unless such moneys be first Ordered to be accordingly paid by the major part of the Commissioners, met according to the directions of this Act; And that the said Treasurer shall issue no moneys paid to him by vertue of this Act, unless upon receipt of Warrant under the hands and Seals of seven or more of the Commissioners before named, which Warrant shall be a full discharge to such Treasurer, upon clearing his Accompts, who is hereby made accountable to his Majesty, or whom he shall depute, as also to the Commissioners appointed by this Act, or any nine or more of them, for all moneys by him received by vertue of this Act. Certificate sealed.

And it is hereby further Enacted, That the distribution of all moneys (by vertue of this Act) amongst the said Officers shall be according to the proportion of their different pay, according to his Majesties present Establishment amongst Order for payments.

Directions for distributing the money.



amongst his Forces now in England, so that a Colonel of Foot shall have so much more then a Captain of Foot, by how much such Colonels pay doth exceed such Captains pay, and the like rule and proportion is to be observed and kept by the said Commissioners for, and betwixt all other Officers, as aforesaid whatsoever.

Offices taxed.

And whereas the several Offices within England and Wales, and Town of Berwick upon Tweed, do yield annually to the Officers or Owners of them, great sums of money and profit, and have hitherto either not been assessed at all, or but easily Assessed in proportion to Lands and Rents of the same yearly value in the same places; And whereas an Act is past for granting to the Kings Majesty an Assessment of threescore and ten thousand pounds by the month, for eighteen months, commencing from the five and twentieth day of December, One thousand six hundred sixty and one; to the end therefore, that all yearly incomes, perquisites, and profits whatsoever, may contribute equally towards the necessary charge of the Government of this Nation, and be proportionably and impartially Assessed for the said eighteen months, commencing the five and twentieth of December, One thousand six hundred sixty and one; Be it Enacted by the Authority aforesaid, That the Commissioners before named, or any nine, or more of them, being met at any time as aforesaid, or the major part of them so met, are hereby appointed and authorized to rate and Assess all and every Officer or Officers that holds any Place or Office within this Realm, or Town of Berwick upon Tweed, of the yearly value of five pounds or more, and they are hereby impowred, and directed by Oath, other then of the Officer himself, if they find cause, and by all other lawful waies, to find out with convenient speed the full value of all Offices as aforesaid, to the intent that all the Offices and Officers may be Assessed before the first of August, One thousand six hundred sixty and two, whereof Duplicates are to be kept, and all the moneys so severally assessed, are to be levied and paid to the said Treasurer before the first of November, one thousand six hundred sixty and two; And the said Commissioners are hereby authorized and directed to Rate and Assess every Officer (the perquisites and profits of whose Office shall be by them adjudged to be clearly worth one hundred pounds per annum) to pay for all the said eighteen months the full sum of twelve pounds, and so proportionably for any Office or Place of a greater or lesser value, so as such Office be not under the value of five pounds per annum; And the said Register is hereby to enter all Rates or Assessments, so made by the said Commissioners into a Book, and to deliver Duplicates of them, Signed by the said Register, unto the said Collector or Collectors; and they, or any of them, according to such Duplicates, are hereby impowred to demand, and levy respectively the several sums of money therein contained.

Discovery of  
Offices.

Remedy for  
the money  
taxed on an  
Officer.

And be it Enacted, That if any such Officer shall not pay his Tax or Proportion so Rated or Assessed, some time within twenty daies next after notice left thereof in writing, Signed by the said Register at his Office, or at the usual place of his abode, and after demand thereof made at such place by some Collector, that then it shall, and may be lawful for such Collector or Collectors, to distrain upon any of the goods and Chattels of such Officer, and the same to sell, and to restore the overplus, deducting his own reasonable Charges in taking the distress.

Collectors  
power.

And be it further Enacted, That the Collectors herein appointed, for the better levying and receiving the several Rates and Taxes, that are or shall be imposed according to this Act, are hereby impowred to make use of all such Powers and Authorities as are given to any Collector or Sub-Collector by the late Act, Entituled, (An Act for granting unto the Kings Majesty, twelve hundred and threescore thousand pounds, to be assessed and levied by an Assessment of threescore and ten thousand pounds by the month, for eighteen months)

Money raised  
by Offices to  
be given to In-  
digent Officers.

And be it Enacted, That all the moneys so to be raised out of Offices or Officers, shall be also distributed by the said Commissioners, unto such truly Loyal and indigent Officers, as are before declared in such sort, and by such

such waies and means as the said threescore thousand pounds, is before directed by this Act to be distributed.

And be it further Enacted, That the Commissioners for the several Countiees, Cities, or Places, or any three or more of them, do with convenient speed, certifie under their hands unto the Commissioners sitting at Westminster, the full number of all the Offices and Officers in each respective County that are chargeable by this Act, as also their opinions of the yearly value of such Offices, whereinon or upon other reasonable ground, the Commissioners sitting at Westminster, as aforesaid, may proceed to rate and assess every of any such Officer, and direct the levying of the Assessment so set in form aforesaid.

Offices certified to the Commissioners sitting at Westminster.

And to the intent that no Officer shall pay Assessments for the profits of his Office, above the rate of eight pounds per centum, for one year, It is hereby provided and declared, That every Officer, whose Office hath usually been rated in the monthly Assessments, and whose Office is Assessed by virtue of the said Act, Entituled (An Act for granting unto the Kings Majesty Twelve hundred and threescore thousand pounds, to be assessed and levied, by an Assessment of threescore and ten thousand pounds by the month, for eighteen months) shall for what he is really charged with, for and in respect of his Office only, by virtue of the said last recited Act, be abated and discharged out of such Tax, as he shall be assessed to pay, by virtue of this present Act, so as he shall deliver a Certificate of such former charge, signed by some Commissioner and Collector of such place respectively unto the Collector hereby appointed, to receive his Tax charged by virtue of this Act, such Certificate not being reasonably disallowed by the said Commissioners herein appointed, and he paying as aforesaid the residue of the Tax due from him by virtue of this present Act.

Office tax restrained.

Abatement of this tax out of the former.

And whereas there are in, and about the Cities of London and Westminster, and in several other Cities, Burroughs, Towns Corporate, and other Parishes and places in this Kingdom of England, and Dominion of Wales, many Hospitals and other Houses and places of receipt, profit, benefit, and advantage for persons of several ranks, ages, and qualities respectively, and some of them very indigent, maimed, and decayed persons, as also there now are, or hereafter may be several stipends, pensions, and charitable gifts and bequests given and disposed to such like persons in general, without any particular designation and appointment, by pious and worthy Benefactors; Be it likewise Enacted by the Authority aforesaid, That at all time and times hereafter, and upon all occasions, where any vacant place or places, shall happen to be in such Hospitals, or other houses or places aforesaid, or where such stipends, pensions, or other charitable bequests shall be given and disposed of as aforesaid, All Masters, Fellows, Guardians, and Governors of such Hospitals and places aforesaid, and all persons whatsoever, who have the power and authority of admitting and receiving into the said Hospitals and places aforesaid, or have, or shall have in their hands the power and disposition of any such stipends, pensions, gifts, or other bequests as aforesaid, shall by this present Act be bound and obliged, and are hereby required and appointed in the first place to admit and receive, into such Hospitals, and Houses, and places aforesaid, and to prefer before all others in such admissions all and every such Loyal person or persons, desiring the same, as have served the late King and his present Majesty in their Wars, and have not any way deserted their loyalty and duty, and being conformable to the Doctrine and Discipline of the Church of England; so as such person be duely qualified to hold such place, and to such persons in the first place; and before all others; to give, bestow, and dispose of the said Stipends, Pensions, and other Charitable gifts and bequests aforesaid. And that the Widows and Children of such Loyal persons aforesaid, be likewise preferred before all others, except the Founders Kindred, where the Original Constitutions of the said Hospitals and places, do necessarily require in the Admission into, giving and disposing of all such vacant places in Hospitals, and other houses aforesaid, and in receiving of the Pensions, Stipends, Benefits, Gifts, and Bequests aforesaid; according to their Conditions and Capacities.

Indigent Officers to be placed in beneficial Hospitals.

Widows and Children of indigent Officers.

Pro.



No Commissi-  
oner herein to  
be relieved.

Offices of  
Members of  
the House of  
Peers how  
taxed.

Not to be  
drawn into  
president.

Provided alwaies, That nothing in this Act shall extend to impower any person or persons, to order, distribute, or pay any of the aforesaid moneys, unto any person named a Commissioner in this Act.

Provided alwaies, That all Officers who are Members of the House of Peers, shall be assessed for their respective Offices by the Lord Chancellor, or Lord Keeper of the Great Seal of England, the Lord High Treasurer of England, the Lord President of the Council, the Lord Privy Seal for the time being, or one of them, and such other persons as shall be appointed by His Majesty under the Great Seal of England, or any five of them, which Commissioners are not to be fewer then twelve, and that the said Commission shall be Issued before the four and twentieth day of June, One thousand six hundred sixty and two, and that the said Commissioners, or any five or more of them, shall put in Execution all the Powers of this Act, as to Assessing of Peers for their Offices.

Provided also, That nothing in this Act contained, shall be drawn into President, as to the disposing of moneys formerly granted to the King, or the Tating of any particular sort of men distinct from the body of the People, Stat. 15. Car. 2. cap. 3. explained. See the next Chapter.

#### C A P. IX.

An Act for the relief of poor and maimed Officers, and Souldiers, who have faithfully served His Majesty, and His Royal Father in the late Wars.

Preamble.  
Stat. 14. Car. 2.  
cap. 8.

A tax set by  
Parishes.

A further tax  
to be set at the  
Sessions.

Whereasmuch as divers of His Majesties Loyal and Faithful Subjects, who out of the sence of their Duty and Allegiance to His Majesties Royal Father of ever Blessed and Glorious Memory, and to His Majesty that now is, have during the late Wars, wherein they have been imployed both by Sea and Land, as Officers, Souldiers, and Mariners in the said Service, exposed themselves to the utmost hazard of their Lives, loss of their Limbs, and utter ruine of their Fortunes; and for whose Subsistence and Relief there is not yet any competent Provision made; Nor for the relief of the Widows, and Orphans of such as have died, or been slain in the said Service;

And to the end that such as have been eminent for their Loyalty, and Sufferings, in so good and just a cause, as the defence of His Majesties Royal Person and Government, may not pass without some mark of Favour or Reward to be set upon them; And that others may thereby receive all due encouragement for the time to come, to continue Loyal and Faithful to His Majesties Service, according to their bounden duty: Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from the first day of this present Parliament, every Parish within this Realm of England, and Dominion of Wales, and Town of Berwick upon Tweed, shall be charged weekly to the payment of such sum of Money, as formerly they have been rated by virtue of a Statute made in the forty third year of Queen Elizabeth, Chapter the third, concerning the Relief of Mariners and Souldiers, for and to such end and purpose; And likewise such further sum of money (over and besides the same) as by His Majesties Justices of the Peace in their next Quarter Sessions, to be held after the Feast of Easter next ensuing, or the major part of them, or at any other Quarter Sessions to be hereafter by them held, shall be adjudged meet to be Assessed upon every Parish or Chappelry, that hath distinct Parochial Officers, so as the said additional sum exceed not the sum of two shillings, and six pence, nor be under the sum of three pence, each week, for each such Parish, or Chappelry, the same to be levied in manner and form by such Persons, and under such Penalties, as by the said Statute of Queen Elizabeth is Enacted and Declared; And

And to be paid to the Treasurers for the maimed Souldiers, appointed by the Justices of the County, or Liberty, by virtue of this Act, and the Statute of Queen Elizabeth aforesaid; Which said Treasurers shall be ordered to issue out, and accompt for the same in such manner, and under such penalties, as by the said Statute is further Enacted, and Declared; And be it further Enacted by the Authority aforesaid, That every Officer, Souldier, or Mariner maimed, indigent, aged, or disabled in body for work in the Service of his said late Majesty, or his Majesty that now is, during under the late Wars, or which are so Impoverished by their sufferings under any of the late Usurped Powers, as that they are destitute of any competent Subsistence, or Livelihood, and have continued Faithful to his Trust, and not deserted the same by taking up Arms against his said late Majesty, or his Majesty that now is, or otherwise, shall forthwith repair to the place where he was last settled, before he took up Arms, with a Certificate of his Service, and hurts received, under the hand of his Captain, or other Commissioned Officer; And shall also repair unto the two next Justices of the Peace in the County where such his settling was; And the said two Justices, upon the examination of the truth of such Certificate (which the said two Justices are hereby impowred to take upon Oath of the party, and of such Witnesses as he shall produce) shall by Warrant unto the Treasurer, assign him relief untill the next Quarter Sessions to be holden for that County, or Liberty, at which time, a yearly Pension shall be by the said Justices, or the major part of them granted in Manner and Form, and with Power of Revocation, or Alteration, as by the said Statute is further declared, and directed; And in case that the Captain or Officer appointed to make such Certificate be dead, the said Justices shall have power, upon request made to them in behalf of the Party maimed, or aged, indigent, or disabled as aforesaid, by Persons of Credit, to give such relief, as in case of examination as aforesaid.

Persons capable of this relief.

Souldiers Certificate.

Justices of Peace to provide for maimed Souldiers.

And as touching the Widows and Orphans of such as have died or suffered death in the said Service; It is hereby further Enacted by the Authority aforesaid, That (over and besides such relief as they shall gain by their Work and Labour, and shall be allowed by the Charity and Benevolence of the Parish, Town, or Hamlet, where they are settled, who are hereby required to have them in special regard) the Treasurers for the maimed Souldiers for such County, shall allow such further relief from time to time, as shall be judged meet by the two next Justices of the Peace of such County; And the said relief shall be paid out of the Surplusage of such Stock of Maintenance, as shall remain in the hands of the said Treasurers, after such Pensions, and payment of them made, and of which Surplusage, and Allowance made unto such Widows, and Orphans, the said Treasurers shall give accompt from time to time, and the same distribute in such manner, as by the Justices shall be directed, and according to the Statute aforesaid.

Souldiers Widows and Children.

And be it further Enacted by the Authority aforesaid, That the Justices of Peace in every County, or Liberty, or any two of them, shall forthwith call all such Treasurers, High Constables, petty Constables, or other Persons, which have formerly been Intrusted with the Receipt, Collecting, or Disposing of any such sum of money charged upon any Parish by virtue of the Statute aforesaid, and whereof no accompt hath been given, and likewise the Executors and Administrators of such person and persons, unto a strict accompt concerning such Levies and Collections made; And such money as they shall find remaining in the Custody of such Persons, to order forthwith to be paid for the intents and purposes aforesaid, and no other, to the Treasurer appointed by virtue of the said Statute, or to be appointed by virtue of this present Act, at the next Quarter Sessions to be holden for such County or Liberty; under such Penalty, as by the said Statute is set forth; which said Treasurer to be appointed by this Act, shall continue by virtue hereof, untill the Easter Sessions following.

Antient arrears of Parish money.

Do

Provided,



Pension re-  
trained.

Provided, that no Pension to be given, or assigned by Authority hereof, shall exceed to any one person the sum of twenty pounds by the year; This Act to continue to the end of the first Session of the next Parliament.

## C A P. X.

An Act for establishing an Additional Revenue upon His Majesty; His Heirs and Successors, for the better support of His and their Crown and Dignity.

Preamble.

Every Chim-  
ney and Stove  
to pay two  
shillings per an.

Forasmuch as nothing conduceth more to the Peace and Prosperity of a Nation, and the Protection of every single person therein, then that the publick Revenue thereof may be in some measure proportioned to the publick Charges and Expences; We therefore Your Majesties most Loyal and Obedient Subjects, the Commons assembled in Parliament, having duely considered the Premises, do give and grant unto Your most Excellent Majesty, Your Heirs and Successors, the Rates and Duties herein after mentioned, and do most humbly beseech Your Majesty that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in Parliament assembled, and by the Authority of the same, That from and after the five and twentieth day of March, in the year of our Lord God, One thousand six hundred sixty and two, every Dwelling, and other House and Edifice, and all Lodgings, and Chambers in the Inns of Court, Inns of Chancery, Colledges, and other Societies that are, or hereafter shall be erected within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed (other then such as in this Act are hereafter exempted and declared) shall be chargeable, and by this present Act be, and are charged with the Annual payment to the Kings Majesty, his Heirs and Successors for every Fire-hearth, and Stove within every such House, Edifice, Chambers, and Lodging, as aforesaid, the sum of two shillings by the year, to be paid yearly, and every year at the Feast of St. Michael the Archangel, and the Feast of the Annunciation of the blessed Virgin St. Mary, by even and equal portions; the first payment thereof to be paid upon the Feast day of St. Michael the Archangel, which shall be in the year of our Lord, One thousand six hundred sixty and two.

A true Ac-  
count of  
Chimneys,  
Hearths, &c.  
given to Con-  
stables.

And to the intent that a just account may be had and taken of all the said Hearths and Stoves by this Act intended to be charged; Be it Enacted by the Authority aforesaid, That every Owner or Occupier of every such House, Edifice, Lodgings, and Chambers, shall respectively within six daies after notice given unto him or them, by the respective Constables, Headboroughs, Tithingmen, or other such Officers, within whose Precinct the said House, Edifice, Chambers, or Lodgings shall be, or by the respective Treasurers or Officers of Inns of Court, Inns of Chancery, or other Officers of the respective Colledges, and other Societies aforesaid, wherein any such Lodgings and Chambers shall be, deliver unto the said Constables, Headboroughs, Tithingmen, or other such Officers as aforesaid respectively, a true and just account in writing under the hands of such Owners or Occupiers as aforesaid, of all the said Hearths and Stoves which are within their several and respective Houses, Lodgings and Chambers aforesaid.

Constables &c  
to search and  
examine if the  
account be  
true.

And be it Enacted by the Authority aforesaid, That the respective Constables, Headboroughs, Tithingmen, or other such Officers, within whose limits any such House or Edifice charged by this Act are aforesaid, are, and the respective Treasurers, and other Officers of the respective Inns of Court, Inns of Chancery, Colledges, and other Societies aforesaid, shall by the last day of May, One thousand six hundred sixty and two, require the several Occupiers of every such House, Edifice, Lodging, and Chamber aforesaid, to deliver into them respectively accounts in writing as aforesaid, under their several and respective hands of all such Hearths and Stoves as aforesaid, as shall be within their respective Houses,

Houses, Edifices, Lodgings, and Chambers, and upon receipt of the same, or upon default of such Accompt in writing, or in case there be no occupiers, then within six daies after notice in writing, first to the dooz, requiring such Accompt to be made, the said Constables, or other Officers respectively, as aforesaid, shall enter into the said respective Houses in the day time, and compare such Accompts, and see whether the same be truly made, or not. And if no such Accompt be delivered, they shall take information by their own view of the number of such Hearths and Stoves, upon pain that every Constable, Treasurer, and other Officer aforesaid, who shall neglect to do the same, shall forfeit for every week, he, or they shall so neglect, the sum of five pounds; and for every false return wilfully made contrary to this Act, he or they shall forfeit and lose for every Hearth or Stove so falsly returned or omitted, the sum of forty shillings.

Penalty of the  
Officers neg-  
lect.

And be it further Enacted by the Authority aforesaid, That the severall Constables, and other Officers, who are hereby authorized to take the Accompt of the aforesaid Hearths and Stoves within their particular Limits, as aforesaid, shall at the next Quarter Sessions after the said last day of May, to be holden for their respective Counties, deliver all such Accompts in writing, as they shall receive, reform, or take by their own view unto the Justices of Peace in their respective Quarter Sessions of the said Counties, together with a true Note of the names of all such persons, who shall refuse or neglect to give unto them an accompt under their hands of such Hearths and Stoves within their respective Houses, Edifices, Chambers, and Lodgings, as aforesaid.

The Accompt  
of Chimnies  
given to the  
Sessions.

And be it further Enacted, That the said Justices of Peace shall cause all the said Accompts of the severall Hearths and Stoves, within the respective Counties, to be Inrolled by the Clerk of the Peace of the said respective Counties, Ridings in Yorkshire, and Divisions in Lincolnshire, and also a Duplicate thereof in Parchment, under the Hands and Seals of three or more of the Justices of Peace of the respective Counties and places aforesaid, who are hereby required to sign the same to be returned into His Majesties Court of Exchequer within one month next after such accompt delivered unto them at their respective quarter Sessions aforesaid, upon pain, that the Clerk of the Peace of every such County, Riding, or Division respectively offending therein, shall forfeit to his Majesty, his Heirs and Successors, the sum of two hundred pounds for the first month; & for the second month, he shall so neglect, every such Clerk of the Peace shall forfeit and lose his or their place & office, and the same shall become void accordingly; which forfeiture & penalty shall be recovered & levied as this Act directs.

To be inrolled  
there.

And sent into  
the Exchequer.

Penalty of not  
inrolling.

And to the intent that the Revenue, hereby arising to his Majesty, may from time to time be paid into His Exchequer with as little charge as may be, Be it Enacted by the Authority aforesaid, That the respective Treasurers, and other Officers of the Inns of Court, Inns of Chancery, Colledges, and other Societies aforesaid, within their respective Jurisdictions, and the severall Petty Constables, Tithingmen, Headboroughs, and such other Officers within the respective Limits, Liberties, and Jurisdictions, shall every half year, within six daies after the said duty shall grow due, as aforesaid, collect, gather, and receive the same from the severall Occupiers of the said Hearths and Stoves, and upon payment thereof, shall give severall Acquittances (without taking any thing for such Acquittances) unto the severall persons who shall pay the same: And that such Acquittances shall be a full and perfect discharge, to every such person who shall pay the same, against his Majesty, his Heirs and Successors, so that no person who shall have such Acquittance, shall be molested, sued, or vexed, or put to any charge in his Majesties Court of Exchequer, or elsewhere.

Collectors of  
the Duty.

Acquittances  
for it.

And be it further Enacted by the Authority aforesaid, That in case any person who is hereby charged, or intended to be charged to pay any sum or sums of money as aforesaid, shall refuse or neglect to pay the same, that then every person or persons who is hereby authorized to collect the same, shall and may levy the same by distress, and sale of the goods of the person and persons so refusing or neglecting rendering unto the said person and persons the overplus of such money

Remedy for  
the tax by dis-  
tress and sale.



as shall remain in their hands, by the said sale, after the said duty, and necessary charges of levying the same is discharged as aforesaid.

Paid to the  
High Constables.

And be it further Enacted by the Authority aforesaid, That the aforesaid Constables, Treasurers, and other Officers, who are hereby authorized to collect the aforesaid duties shall within twenty daies next after the aforesaid times, at which the said duties shall be due to His Majesty, as aforesaid, pay unto the High Constables of the several hundredes and respective limits, all such money as they shall receive for the aforesaid duties, receiving an Acquittance without paying any thing for the same, and deducting two pence in the pound, for their pains in collecting the same; And shall also then in writing under his hand, deliver unto the said High Constable the Names of the persons of whom they receive the same, and also the Names of such persons who ought to have paid the respective duties yearly charged upon them, and have not paid the same, where no distress can be had.

Collectors to  
have two pence  
in the pound.

Names of  
defaulters.

High Constables to pay it  
to Sheriffs.

And be it further Enacted, that the High Constables of the several hundredes, and respective limits, shall within ten daies next after their several receipts from the said Constables, Headboroughs, Tithingmen, and other Officers pay unto the High Sheriffs of every County, all such money as they shall so receive, deducting a penny in the pound for their pains, and shall also then deliver, or cause to be delivered unto the said High Sheriffs, the several returns which they received from the Constables, and other Officers aforesaid;

High Constables to have  
one penny in  
the pound.

Paid into the  
Exchequer.

Sheriff to have  
three pence per  
pound, and the  
Clerk of the  
Peace one penny.

And the respective Sheriffs shall within thirty daies after he or they shall receive the said moneys from the respective Collectors, return the same, together with the Names of such persons who are defaulters, and had no distress to be found, into His Majesties Court of Exchequer, deducting four pence out of every twenty shillings, and so after that rate, whereof three pence to be for the Sheriff's own use, as a reward of his pains in receiving and returning the same, and one penny to be paid by the Sheriff to the Clerk of the Peace, for his pains to be recovered by the said Clerk of the Peace by Action of Debt.

Sheriffs Collectors in  
Corporate Towns.

Provided alwaies, and be it Enacted, that the High Sheriff of London and Middlesex, for the time being, for London and so much of the County of Middlesex as lies within the Walls of Mortality, other then the Inns of Court, and Chancery, and the High Sheriff of Surrey, for the time being for the Borough of Southwark, and all other Sheriffs of any other City, or Town, being a County of it self, for such Cities and Towns respectively, shall be and are hereby made Collectors of, and for the several duties arising within their several and respective limits, for which end and purpose, and in those places only, the Constables, Tithingmen, Headboroughs and other Officers shall deliver unto the Sheriffs of the Cities, and places aforesaid, Duplicates of the same accounts of Hearths and Stoves, which the said Constables, Headboroughs, Tithingmen, and other Officers are appointed by this Act to take from time to time, and to deliver to the Justices of Peace to be enrolled as aforesaid; And the said Sheriffs of the Cities and places, last before mentioned, are hereby enabled to levy the said Duties, and required to give acquittances without any Fees, as fully and amply to all intents and purposes as in this Act is appointed to be done by any other Collectors; And the said Sheriffs shall from time to time within forty daies after the said Duties shall be payable by vertue of this Act, make payment of all the moneys levied into His Majesties Exchequer, with a perfect List of the Names of such persons as shall make default of payment, where no distress can be found to be taken; Any thing in this Act to the contrary notwithstanding; And the said Sheriffs shall deduct out of their payments four pence in the pound, whereof three pence to be for themselves, and one penny for the Clerk of the Peace, to be recovered as aforesaid; And that his Majesties Officers in his said Court of Exchequer, shall discharge all such persons, who paid their respective Duties without taking any Fees for the same, and shall also issue out Process to levy the said Duty upon such persons

Sheriffs to pay  
to the Exchequer.

And return  
defaulters.

No Fees for  
Acquittances.

persons who shall fail in payment thereof, where no distress can be found, to be taken according to this Act.

And be it further Enacted by the Authority aforesaid, that the Revenue, and sum of money arising by vertue of this Act, (Except what shall be allowed to the aforesaid Officers, and Ministers for collecting the same) shall be duly and constantly paid and answered into His Majesties Court of Exchequer; and shall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any Gift, Grants, or Pension whatsoever; And that all and every Grants of any such Pensions, and all and every clause of Non obstante therein contained shall be, and is hereby declared to be utterly void, and all and every the persons to whom such Grants are passed, shall be, and are hereby made Accountants unto His Majesty, His Heirs and Successors, and shall pay back all sums of money received by pretence of such Grant; and the Court of Exchequer shall be, and is hereby enjoined to issue out Process accordingly.

This Tax not to be imbezelled.

And be it further Enacted by the Authority aforesaid, that if any Action, Bill, Complaint, Suit, or Information shall be commenced, or prosecuted against any person or persons, for what he or they shall do in pursuance, or execution of this Act, such person or persons so Sued, shall and may plead the general Issue, not Guilty; And upon Issue joyned may give this Act, and the special matter in Evidence, and if the Plaintiff or Prosecutor shall become Non-suit, or suffer discontinuance, or if a Verdict pass against him, or if upon a Demurrer Judgment pass against him, the Defendant shall recover treble Costs, for which there shall be like remedy as in any case where Costs by Law are given to the Defendants.

Officers sued may plead the general Issue.

Treble costs.

And be it further Enacted by the Authority aforesaid, that where any Increase or Decrease of such Hearths or Stoves shall hereafter happen, that an Account in writing of the same shall be had and made in like manner as the same is directed; to be first taken, returned and inrolled by this Act; and a Duplicate thereof sent into the Exchequer in such sort as is before directed; And from thenceforth the Owner or Occupier of such House, where such Decrease is, shall be discharged proportionably without any further pleading in the Exchequer.

Increased Chymnies returned.

Provided alwaies, that no person or persons shall be Charged, Prosecuted, or brought to Account for the Arrearages of any Duty, or Arrearages of Revenue raised by this Act, unless the said Suit shall commence within two years, and be brought to a Judgment within four years, and the Duty levied within five years, next after the same shall grow due.

Time limited for recovery of the Tax.

Provided alwaies, that no person who by reason of his poverty, or the smallness of his Estate is exempted from the usual Taxes, Payments, and Contributions, towards the Church and Poor, shall be charged or chargeable with any the Duties by this Act imposed, Any thing herein before to the contrary notwithstanding.

Poor not paying other Taxes excepted.

Provided alwaies, and be it hereby Enacted, That if the Church-wardens and Overseers of the Poor of the Parish, together with the Minister of the same, or any two of them (whereof the Minister to be one) shall in writing under their Hands yearly certify their belief that the house wherein any person doth Inhabit is not of greater value then of twenty Shillings per annum, upon the full Improved rent; And that neither the person so Inhabiting, nor any other using the same Dwelling hath, useth, or occupieth, any Lands or Tenements of their own or others of the yearly value of twenty Shillings per annum, nor hath any Lands, Tenements, Goods or Chattels, of the value of ten pounds in their own possession, or in the possession of any other in trust for them; That then in such case, upon such Certificate made to the two next Justices of Peace, and allowed by them (for which Certificate and Allowance no Fee shall be paid) the person on whose behalf such Certificate is made, shall not be returned by the Constable, or other Officer; And the said house is hereby

Parish Certificates of poor Houses.



hereby for that year discharged of, and from all the Duties by this Act imposed; Any thing herein to the contrary notwithstanding.

Penalty of  
farming or  
charging this  
Duty.

Provided also, and be it Enacted by the Authority aforesaid, That if any person or persons, Bodies Politick or Corporate, shall at any time hereafter procure or accept of from the Kings Majesty, His Heirs or Successors, any Pension, Gift, or Grant for years, life, or any other Estate, or any sum or sums of money, out of the Revenue arising by vertue of this Act, that then such person or Bodies Politick or Corporate, procuring or accepting the same, shall forfeit double the value of such Pension, Gift, or Grant, the one moiety of which forfeiture shall be to the use of the poor of the Parish or Parishes, where the said Offenders be, or Inhabit, to be recovered by the Church-wardens, the other moiety to him that will sue for the same, by Action of Debt, Bill, Plaint, or Information.

Certain  
Hearths ex-  
cepted out of  
the A&.

Provided that this Act, or any thing herein contained shall not extend to charge any Blowing-house, and Stamp, Furnace, or Kiln, or any private Oven within any of the Houses hereby charged, nor any Hearth, or Stove, within the scite of any Hospital, or Almshouse for the relief of poor people, whose Endowment, and Revenue doth not exceed in true value the sum of One hundred pounds by the year.

The present  
Occupier to  
pay the Tax.

Provided that the Payments and Duties hereby charged, shall be charged only on the Occupier for the time being of such Hearth, or Stove, dwelling in such House, whereto such Hearth, or Stove shall be belonging, his Executors, or Administrators, and not on the Landlord, who Lett, or Demised the same, his Heirs, Executors, or Assigns.

This Duty to  
give no privi-  
ledge as to the  
Kings Debtor.

Provided also, That no person or persons Indebted for any the Duties aforesaid, shall thereby be privileged as a Debtor or Debtors to His Majesty, His Heirs or Successors, to sue any person or persons in the Court of Exchequer, or to assign any Debt to His Majesty, His Heirs or Successors, towards satisfaction of the same. Vid. Stat. 16. Car. 2. cap. 3.

#### C A P. XI.

An Act for preventing Frauds, and regulating Abuses in His Majesties Customs.

Preamble.

Whereas much as it appears, that several unlawful and indirect means and devices are daily put in practice, to Export and Import Goods and Merchandizes prohibited by the Laws and Statutes of this Kingdom; as also to defraud the Kings most Excellent Majesty of his Dues, Customs, and Subsidies, as well by secret and deceitful designs, as by open force and violence used against the Kings Majesties Officers, employed in the Affairs of the Customs;

No Ship to be  
above three  
daies coming  
up the Thames.

For the better preventing of which Frauds and Violences in time to come, It is Enacted and Ordained by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled; And be it Enacted and Ordained by the Authority thereof, That no Ship or Vessel, arriving from the parts beyond the Seas, shall be above three daies coming from Graves-end to the place of her discharge (within the River of Thames) without touching or staying at any Wharf, Key, or place adjoyning to either Shoar between Graves-end and Chesters Key (unless apparently hindered by contrary Winds, Draught of Water, or other just impediment to be allowed by such person or persons as are or shall be appointed by His Majesty for managing the Customs, the Collectors Inwards, and other principal Officers of the Customs) and then or before the Master or Purser (for that voyage) of such Ship or Vessel, shall make a just and true Entry upon Oath of the Burthen, Contents, and Lading of every such Ship or Vessel, with the particular Marks,

Not to stay  
until it come  
to Chesters-  
Key.

A true account  
of Lading  
Imported.

Numbers,

Numbers, Qualities, and Contents of every parcel of Goods therein Laden, to the best of his knowledge; also where, and in what Port she took in her Lading; of what Country built; how manned; who was Master during the Voyage; and who are Owners thereof; and in all Out-ports or Members, to come directly up to the place of Unlading, as the condition of the Port requires, and will admit, and making Entries as aforesaid, upon the penalty of the forfeiture of One hundred pounds.

And be it further Enacted by the Authority aforesaid, That no Captain, Master, Purser, or any other person or persons taking charge of any Ship or Vessel bound for the parts beyond the Seas, or into the Kingdom of Scotland, whither the same Ship or Vessel shall have Commission from, or belong unto the Kings Majesty that now is, His Heirs or Successors, or shall belong to, or have Commission from any Forraign Prince or State, or otherwise, shall take in, or suffer to be taken into, or laden aboard any such Ship or Vessel, any English Goods, Wares, or Merchandize, to be Exported into the parts beyond the Seas, or into the Kingdom of Scotland, until such Captain, Master, Purser, or other person as aforesaid, shall have Entered such Ship or Ships in the Book of the Commissioners, Customer or Collector and Comptroller Outwards of such Port where he shall Load or take in Goods, together with the Name of such Captain or Master, the Burden of such Ship or Vessel, the Number of Guns and Ammunition she carries, and to what Port or Place she intends to pass or Sail, and before he or they shall depart with his or their Ship or Vessel out of such Port or Place, shall bring and deliver unto the said person or persons, which are or shall be appointed by his Majesty for managing the Customs, the Customer or Collector and Comptroller of such Port or Place, a Content in writing under his or their Hands, of the Names of every Merchant, and other person or persons that shall have Laden and put on Board any such Ship or Vessel, any such Goods or Merchandize, together with the Marks and Numbers of such Goods and Merchandize, and shall likewise publickly in the open Custom-house, upon his Corporal Oath, to the best of his knowledge, have answered to such question or questions, as shall be demanded of him by the said person or persons which are or shall be appointed by His Majesty for managing the Customs, the Customer or Collector and Comptroller, or their Deputies concerning such Goods and Merchandize as shall be aboard such Ship or Vessel, upon pain of Forfeiture of One hundred pounds; And that no such Captain, Master, Purser, or other person or persons, taking charge of any Ship, or Vessel of War, as aforesaid, wherein any Goods, Wares, or Merchandizes shall have been Laden or brought from the Ports beyond the Seas, or out of the Realm of Scotland, shall unload, or put on board any Lighter, Boat or Bottom, or lay on Land, or suffered to be discharged or put into any Lighter, Boat or Bottom, or to be laid on Land out of any Ship or Vessel as aforesaid, any Goods, Wares, or Merchandize whatsoever, before such Captain, Master, Purser, or other person taking charge of the Ship or Merchants Goods for that Voyage as aforesaid, shall have signified and declared in writing under his or their Hands, unto the person or persons which are or shall be appointed by His Majesty for managing the Customs, the Customer or Collector, and Comptroller Inwards of the port where he arriveth, the Names of every Merchant or Lader of any Goods or Merchandizes aboard the said Ship or Vessel, together with the Number and Marks, and the quantity and quality of every parcel of Goods and Merchandizes to the best of his knowledge, and shall have answered upon his or their Corporal Oath, to such Questions concerning such Goods and Merchandizes, as shall be publickly administered unto him in the open Custom-house, by such person or persons which are or shall be appointed for managing the Customs, Customer or Collector and Comptroller, or their Deputies, and shall be liable to all Searches and other Rules which Merchants Ships are subject unto, by the usage of His Majesty's

The like of Lading Exported.

And of the Captains name, and Burden of the Ship.

Oath of the truth of the accompt of Lading.

The danger of stealing Custom, to fall on the Officers of the Ship.

Alies



Penalty of not  
making En-  
tries.

His Custom-house (victualling Bills and Entering excepted) upon pain to forfeit One hundred pounds, and upon refusal to make such Entries as aforesaid, as well Outwards as Inwards, the said person or persons which are or shall be appointed for managing the Customs, and Officers of His Majesties Customs, and their Deputies, shall and may freely enter and go on board all and every such Ship or Vessel of War, and bring from thence on shore into His Majesties Store-house belonging to the port where such ship shall be, all Goods and Merchandizes prohibited or uncustomed, which shall be found aboard any such Ship as aforesaid.

Search for  
Goods not  
exportable.

And be it hereby also Enacted, That the said person or persons which are or shall be appointed for managing the Customs, and Officers of His Majesties Customs, and their Deputies, are hereby Authorized and Enabled to go and enter aboard any Ship or Vessel, as well Ships of War as Merchants Ships, and from thence to bring on shore all Goods prohibited or uncustomed, except Jewels, if they be Outwards bound, and if they be Ships or Vessels Inwards bound, from thence to bring on shore into His Majesties Store-house, as aforesaid, all small parcels of fine Goods or other Goods which shall be found in Cabbins, Chests, Trunks, or other small Package, or in any private or secret place, in, or out of the Hold of the Ship or Vessel, which may occasion a just suspicion that they were intended to be fraudulently conveyed away; And all other sorts of Goods whatsoever, for which the Duties of Tonnage and Poundage were not paid or compounded for within twenty daies after the first Entry of the Ship, to be put and remain in the Store-house aforesaid, until His Majesties Duties thereupon be justly satisfied, unless the said person or persons which are or shall be appointed by His Majesty for managing the Customs, and Officers of the Customs, shall see just cause to allow a longer time, and that the said person or persons, which are or shall be so appointed to manage the Customs, and the Officers of the Customs, and their Deputies, may freely stay and remain aboard until all the Goods are delivered and discharged out of the said Ships or Vessels; And if any Master, Purser, or Boat-swain, or other taking charge in any Ship or Vessel, or any other person whatsoever shall suffer any Truss, Bale, Pack, Fardel, Cask, or other Package to be opened aboard the said Ship or Vessel, and the Goods therein to be imbezelled, carried away, or put into any other Forme or Package, after the Ship comes into the Port of her discharge, in every such case the said Master, Purser, Boat-swain, or others, shall forfeit the sum of One hundred pounds.

And for goods  
not paying  
Duties.

Officers in  
Ships not to  
suffer Goods  
to be repacked  
on board.

And be it further Enacted by the Authority aforesaid, That in case, after the clearing of any Ship or Vessel, by the person or persons which are or shall be appointed by His Majesty for managing the Customs, or any their Deputies, and discharging the Watchmen or Tradersmen from attendance thereupon, there shall be found on board such Ship or Vessel any Goods, Wares or Merchandizes, which have been concealed from the knowledge of the said person or persons, which are or shall be so appointed to manage the Customs, and for which the Custom, Subsidie, and other Duties due upon the Importation thereof, have not been paid, then the Master, Purser, or other person taking charge of such Ship or Vessel, shall forfeit the sum of One hundred pounds. And it shall be lawful to or for any person or persons, authorized by Writ of Assistance, under the Seal of His Majesties Court of Exchequer, to take a Constable, Headborough, or other publick Officer inhabiting neer unto the place, and in the day time to enter, and go into any House, Shop, Celler, Ware-house or Room, or other place, and in case of resistance to break open Doors, Chests, Trunks, and other Package, there to seize, and from thence to bring any kind of Goods or Merchandize whatsoever, prohibited and uncustomed, and to put and secure the same in His Majesties Store-house, in the Port next to the place where such seizure shall be made.

Officers in  
Ships lyable  
to answer for  
Goods not  
customed.

Writs of Assistance  
to search  
Houses.

And for the better increase of Shipping and Navigation, Be it further Enacted,

acted, That the Collectors and other Officers of His Majesties Customs, in all the Ports of England, shall forthwith give an account unto the Collector and Surveyor in the Port of London (appointed by His Majesty for all duties and matters relating to a late Act, Intituled, An Act for encreasing and encouraging of Shipping and Navigation) of all foreign built Ships in their Ports, owned and belonging to the people of England, of what built and burthen they are, for which Certificates have been made according to the said Act, and that the said Collector and Surveyor, shall make a true and perfect list of all such Ships, attested under their hands, and transmit the same into His Majesties Court of Exchequer, on, or before the Month of December, in the year One thousand six hundred sixty and two, there to remain upon record. And that no foreign built Ship (that is to say) not built in any of His Majesties Dominions of Asia, Africa, or America, or other then such as shall (bona fide) be bought before the first of October, One thousand six hundred sixty and two, next ensuing, and expressly named in the said List, shall enjoy the priviledge of a Ship belonging to England or Ireland, although owned or manned by English (except such Ships only as shall be taken at Sea by Letters of Mart or Reprisal, and condemnation made in the Court of Admiralty, as lawful Prize,) but all such Ships shall be deemed as Aliens Ships, and be liable unto all Duties that Aliens Ships are liable unto by vertue of the said Act for encrease of Shipping and Navigation. And whereas it is required by the said Act, that in sundry cases the Master and three fourths of the Mariners are to be English, it is to be understood that any of His Majesties Subjects of England, Ireland, and His Plantations, are to be accounted English, and no others, and that the number of Mariners be accounted according to what they shall have been during the whole Voyage.

Foreign built  
Ships accounted  
as Aliens  
Ships.

12 C. 2. c. 16.

And whereas of late some of the persons appointed by His Majesty for managing the Customs, and the Officers of the Customs and their Deputies, have been hindered, affronted, abused, beaten, and wounded to the hazard of their lives, in the due execution of their several trusts and services in their respective places, by armed companies and multitudes of men, and goods prohibited and uncustomed have by force and violence, as well by Land as by Water, been forceably carryed and conveyed away, Be it Enacted by the Authority aforesaid, That where any Officer or Officers shall be by any person or persons armed with Club, or any manner of Weapon, forceably hindered, affronted, abused, beaten, or wounded, as aforesaid, either on board any Ship or Vessel, or upon the Land or Water, in the due execution of their Office, all and every person and persons so resisting, affronting, abusing, beating or wounding the said Officer or Officers, or their Deputies, or such as shall act in their aid or assistance, shall by the next Justice of Peace, or other Magistrate, be committed to prison, there to remain till the next Quarter-Sessions: And the Justices of the Peace of the said Quarter-Sessions shall, and are hereby impowered to punish the Offender by Fine, not exceeding One hundred pounds, and the Offender is to remain in prison till he be discharged by order of the Exchequer, both of the Fine and of the Imprisonment, or discover the person that set him on work, to the end he may be legally proceeded against.

Provision against  
resisting  
Officers of the  
Customs.

And be it further Enacted by the Authority aforesaid, That if any Wharfinger, or keeper of any Wharf, Crane or Key, or their servants, or any of them, shall take up or land, or knowingly suffer to be taken up, or landed, or shall Ship off or suffer to be water-born, at, or from any of their said Wharfs, Cranes or Keys, any goods, wares, or merchandize prohibited, or whereof any Custom, Subsidy, or other Duties are due and payable unto the Kings Majesty, without the presence of some of the Officers of His Majesties Customs thereunto appointed, or at hours and times not appointed by Law (except in the Port of Hull, as in the Statute of the first year of Queen Elizabeth, Chapter the eleventh, is excepted, and not otherwise) or goods passing by Certificates, waste-Cocquet, or otherwise without the presence or notice given to One or more of His Majesties Officers, That in every such case all and every such wharfinger and keeper of

Wharfinger  
accessary to  
concealing  
Custom.

E e

such



Car-men, Por-  
ters.

Goods sent  
from Port to  
Port in Eng-  
land licenced.

such Wharfe, Crane or Key, shall forfeit and pay the sum of One hundred pounds; And if any goods or merchandize shall be laden or taken in from the shore, into any Bark, Hoy, Lighter, Barge, Wherry, or Boat, to be carried aboard any Ship or Vessel Outwards bound for the parts beyond the Seas, or laden, or taken in, from or out of any Ship or Vessel coming in and arriving from forraign parts, without a Warrant, and the presence of one or more Officers of the Customs, such Bark, Hoy, Lighter, Barge, Boat or Wherry shall be forfeited and lost, and the Master, Purser, Boat-swain, or other Mariner of any ship Inward bound, knowing and consenting thereunto, shall forfeit the value of the goods so unshipped; And further, That in case any Car-man, Porter, Water-man, or other person or persons whatsoever shall assist in the taking up, landing, shipping off, or carrying away any such goods, wares or merchandizes, that then such Car-man, Porter, Water-man, or other person or persons so offending being apprehended by Warrant of any Justice of the Peace for that County, City, or Borough, which the said Justices, and every of them are hereby authorized to issue, and to examine witnesses upon Oath concerning such fact, and the same being proved by the Oath of two witnesses, the said Offenders for such first Offence shall and may by such Justice of the peace be committed to the next Goal, there to remain till he and they find sufficient Surety to be of the good behaviour for so long time, until he and they shall be thereof discharged by the Lord Treasurer, Chancellor, Under-Treasurer, or Barons of the Exchequer; And in case he or they so convicted, shall afterwards at any time offend in the like kind, then he and they shall and may by any Justice of the peace as aforesaid, be committed to the next Goal, there to remain for the space of Two moneths without Bail or Mainprize, or until he shall pay unto the Sheriff of that County the Sum of Five pounds for the use of His Majesty, or until he shall by the Lord Treasurer, Chancellor, or Under-Treasurer, or Court of Exchequer be thence discharged. Be it further Enacted by the Authority aforesaid, That if any goods, wares, or merchandizes, shall be shipped or put on Board to be carried forth to the open Sea from any one Port, Creek, or Member in the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, to be landed at any other place of this Realm, without a Sufferance or Warrant first had and obtained from the said person or persons, which are or shall be appointed for managing the Customs, and Officers of His Majesties Customs, all such wares and merchandizes shall be forfeited and lost; and that the Master of every Ship or Vessel that shall lade or take in any such goods, wares, or merchandizes, in any Port, Member or Creek within this Kingdom of England, Dominion of Wales, or Town and Port of Berwick, to be landed and discharged in some other Port, Member or Creek of the said Kingdom of England, Dominion of Wales, or Town and Port of Berwick, shall before the Ship or Vessel be removed or carried out of the Port (where he shall take in his lading) take out a Cocquet or Cocquets, and become bound to the Kings Majesty with good Security, in the value of the goods, wares, and merchandizes aforesaid, for delivery and discharge thereof in the Port or place for which the same shall be entred as aforesaid, or in some other port or place within the said Kingdom of England, Dominion of Wales, or port and town of Berwick, and (the dangers and accidents of the Seas excepted) to return a Certificate within Six moneths after the date of such Cocquet and Cocquets, under the Hands and Seals of the Kings Majesties Officers, signed also by some of the said person or persons, which are or shall be appointed by His Majesty for managing the Customs, or their Deputy or Deputies, in every respective Ports, Members, or Creeks where the same shall be landed and discharged, to His Majesties Officers of the Customs to whom such Security hath been given as aforesaid, that such goods, wares and merchandizes were there landed and discharged accordingly, upon the penalty of the forfeiture of the Bond and Security aforesaid.

Officers make-  
ing a false  
Certificate.

And be it hereby further Enacted; That if any Officer of any port, Member or Creek, shall grant or make any false Certificate of any goods or merchandizes which

which should have been landed out of any Ship or Vessel, that such Officer shall lose his Employment, and moreover forfeit the sum of Fifty pounds, and suffer one years Imprisonment without bail or mainprize, and be incapable of serving His Majesty in any place of Trust concerning His Customs, and be further liable to such corporal punishment as the Court of Exchequer shall think fit; And if any person whatsoever shall counterfeit, raise, or falsifie any Cocquet, Certificate or Return, Transire, Let-passe, or any other Custom-house Warrant, he shall forfeit One hundred pounds, and the Cocquet, Certificate, or Return, shall be invalid and of none effect; And if any goods, wares or merchandizes brought or coming into any Port, Haven, or Creek within the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, from any other Port, Haven, or Creek within the Kingdom of England, or Dominions aforesaid, by Port, Cocquet, Transire, Let-passe, or Certificate, in Ships or Vessels shall be landed or put on shore before such Cocquet, Transire, Let-passe, or Certificate shall be delivered to such person or persons, which are or shall be appointed by His Majesty for managing His Customs, the Customer or Collector, and Comptroller of the Port or place of their Arrival, or to their Deputy or Deputies, and a Warrant or Sufferance made and given from such person or persons, Customer, or Collector and Comptroller, or their Deputy and Deputies aforesaid, for the landing and discharging thereof.

Cocquet given  
back to the  
Customer.

And be it further Enacted by the Authority aforesaid, that if any goods, wares, or merchandizes, for which the Duties of Subsidy or Customs are due and payable to the Kings Majesty, shall be secretly conveyed on board any Ship or Vessel before the Custom and Subsidy thereof be duly answered and paid, & shall escape the discovery thereof by the Officers of the Customs, or others, and be carried into the parts beyond the Seas; in such case the Owners or Proprietors of such goods, wares, or merchandizes, or other person or persons who shall have so shipped or caused the same to be shipped and transported shall forfeit the double value of the goods, computed according to the Book of Rates, Except for Coal, which so secretly Exported as aforesaid, shall pay double the Custom and Duty, to be collected and levied in such manner as by the Act of Tonnage and Poundage is directed and appointed.

Penalty upon  
goods not cus-  
tomed let slip  
by Officers.

Be it further Enacted by the Authority aforesaid, that for preventing of frauds in colouring of strangers goods, and otherwise, every Merchant or other, passing any goods, wares or merchandizes, Inwards or Outwards, shall by himself or his known Servant, Factor, or Agent, subscribe One of his Bills of every Entry, with the mark, number, and contents of every parcel of such goods as are rated to pay by the piece or measure, and weight of the whole parcel of such goods as are rated to pay by the weight, without which, the Officers of the customs shall not suffer any Entry to pass; And that no children of Aliens under the age of twenty one years be permitted to be traders, or any goods or merchandizes to be entered in their names.

Merchants to  
subscribe Bills  
of Entry.

Alien Infant  
not be a Mer-  
chant.

Be it also hereby Enacted, that upon any Actions, Suits, and Informations, that shall be brought, commenced, or entered, upon any Law or Statute concerning the Kings Majesties Subsidies of Tonnage and Poundage, or Ships or goods to be forfeited by reason of unlawful Importation or Exportation, there shall not be any party Jury, but such only as are the natural and free born Subjects of the King, His Heirs or Successors.

No party jury.

And whereas Allowances given to Merchants and others for Defects and Damages upon Goods, and Five per centum generally upon all Goods Imported, and Twelve per centum upon Wines, Every Merchant or others having the aforesaid Allowances Inwards, shall in person upon Oath by himself, or by his known Servant or Factor, Demand and receive the moneys due upon Debentures for such foreign goods Exported by such Certificate, with such Abatements and Allowances as were made and given to him upon the Importation, and

Allowance for  
damages how  
retained.



if he be found fraudulently to ship out less in quantity or value then is expressed in his Certificate, the Goods therein mentioned, or the value thereof shall be forfeited; and the Owner or Merchant shall lose the benefit of receiving back any part of the subsidie for those goods: And if any goods shipped out by Certificate as aforesaid, shall be landed again in the same, or any other Port or place within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick, (unless in case of distress to save the goods from perishing, which shall be presently made known to the person or persons which are or shall be appointed by His Majesty to manage His Customs, and principal Officers of the Port) no Allowance shall be demanded or made for those goods, and the said goods, or value thereof, shall be forfeited and lost.

Waies prescribed for goods between England and Scotland.

Be it further Enacted by the Authority aforesaid, That all Goods, Wares or Merchandize that shall be brought out of, or carried into the Kingdom of Scotland by Land, into or out of the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, shall pass and be carried by and through some of the Towns and Passages hereafter named (that is to say) by and through Berwick or Carlisle, and then, and there pay the Custom and Subsidie granted and due to the Kings Majesty, by an Act of this present Parliament, Intituled, A Subsidie granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported; And if any goods, wares or merchandize prohibited or uncustomed, coming out of Scotland into England, or going out of England into Scotland, shall pass by, or beyond the Towns, Ports and places aforesaid without due Entry and payment of the Customs, That then all such goods, wares and merchandize, or the value thereof, shall be forfeited and lost.

St. 1. El. c. 11.

And whereas in and by an Act of Parliament in the first year of Queen Elizabeth, of famous memory, directing when and where merchandize shall be landed, and Customs paid; it is amongst divers other things Enacted and Ordained, That no goods, wares, or merchandize shall be shipped or laden aboard any Ship or Vessel, or landed or discharged out of, or from any Ship or Vessel, but in, or upon some such open Place, Key, or Wharf, Places, Keys, or Wharfs, (except the Port of Hull) as her Highness, her Heirs and Successors should therefore assign or appoint by vertue of her Highness Commission or Commissions, within the Port of London, and in all Ports, Creeks, Havens, or Roads, as in and by the said Act doth, and may at large appear; And whereas, notwithstanding the aforesaid Act, there are some Ports, Creeks and places where Customers, Collectors, and Comptrollers and Searchers and their Servants had then, time out of mind, been resident, to which no such Commissions were sent, nor places, Keys, nor Wharfs appointed, as by the said Act was directed; And whereas also since that time by reason of the alteration of Rivers, Streams, Channels and Sands, some places then appointed are become unfit and useless, and others much more convenient and commodious, as well for Traffique and Commerce, as for landing and discharging, lading and shipping of goods, wares and merchandize; It is Enacted and Ordained, and be it Enacted and Ordained by the Authority aforesaid, That the Kings Majesty may from time to time by His Highness Commission, or Commissions out of His Court of Exchequer, assign and appoint all such further places, Ports, members and Creeks (except the Town of Hull) as shall be lawful for the landing and discharging, lading or shipping of any goods, wares, or merchandize, within the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, and to what Ancient and Head-ports respectively such places, members or creeks shall belong and appertain; And where any such member, creek, or place shall be so (as aforesaid) appointed by vertue of the said Commission or Commissions, the Customers, Collector, Comptroller and Searcher of the Head-port, shall by themselves, or their sufficient Deputy or Deputies, Servant or Servants, reside and Inhabit, for the entring, clearing, and passing, shipping and

Ports and Creeks altered by time.

Commissions to make new ones.

and discharging of Ships, Goods and Merchandize; And by vertue of the aforesaid Commission or Commissions, may likewise set down and appoint the Extents, Bounds and Limits of every Port, Haven, or Creek, within His Majesties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, whereby the Extents, Limits, and Priviledges of every Port, Haven, and Creek may be ascertained and known; And it shall not be lawful for any person or persons whatsoever, to lade, or put, or cause to be laden or put off, or from any Key, Wharf, or other place on the Land, into any Ship, Vessel, Lighter, Boat or Bottom, any Goods, Wares, or Merchandize whatsoever, (Fish taken by His Majesties Subjects, Sea-coal, Stone, and Bestials only excepted) to be transported into any place of the parts beyond the Seas, or carried by Land into the Realm of Scotland, or to take up, discharge, or lay on land, or cause, or procure to be taken up, discharged, and laid on land out of any Boat, Lighter, Ship, Vessel or Bottom (being not in Leak or Wreck) any Goods, Wares, or Merchandize whatsoever (Fish taken by His Majesties Subjects, Bestials and Salt, only excepted) to be brought from any of the parts beyond the Seas, or by land from the Realm of Scotland, by way of Merchandize, but only upon such open Place, Key, or Wharf, Places, Keys, or Wharfs, as His Majesty shall from time to time assign and appoint by vertue of such Commission and Commissions as aforesaid, in His Majesties Port of London, and the Members and Liberties thereof, in any other Port, Place, Member, or Creek within His Majesties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, without special sufferance and leave first had from the Commissioners and Officers of His Majesties Customs, upon the penalty of the forfeiture of all such Goods, Wares, and Merchandize.

Wares to be  
shipt and un-  
laden in pub-  
lick places of  
Ports.

And forasmuch as it doth appear by daily experience, That there are great Practices and Combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers, and Informers, with design and intent to defraud the force of the Law, and His Majesty of His Duties and Customs; Be it Enacted by the Authority aforesaid, That no Ship or Ships, Goods, Wares, or Merchandize shall be seized as forfeited, for, or by reason of unlawful Importation or Exportation, into, or out of this Kingdom of England, Dominion of Wales, or Port and Town of Berwick, or any the Ports, Members, or Creeks thereunto belonging, or for not payment of any Customs or Subsidies now due, or hereafter to be due and payable to his Majesty, but by the person or persons who are or shall be appointed by His Majesty to manage his Customs, or Officers of His Majesties Customs for the time being, or such other person or persons as shall be deputed & authorized thereunto by Warrant from the Lord Treasurer, or Under-Treasurer, or by special Commission from his Majesty under the Great or Privy Seal; And if any Seizure shall hereafter be made by any other person or persons whatsoever for any the Causes aforesaid, such Seizure shall be void and of none effect, any Statute, Law, Act, or Provision to the contrary in any wise notwithstanding.

Penalty.

Who shall  
seize forfeited  
goods.

And be it further Enacted by the Authority aforesaid, That in every Action, Suit, Indictment, Information, or Prosecution, wherein or whereby the person or persons which are or shall be appointed by His Majesty for managing his Customs, or the Officers of his Majesties Customs, or any Officer or Officers, person or persons Authorized by his Majesty to put in execution the Act of Parliament, For encreasing and encouraging of Navigation, their Deputies or Servants, or any others acting in aid of them, have been, are, or shall be Sued, Indicted, Prosecuted, or Molested, it shall be lawful for all and every the said persons, their Heirs, Executors and Administrators, to plead the general Issue, and to give this or the aforesaid Acts of Parliament, relating to the Customs and Navigation in evidence, in any of his Majesties Courts of Justice, or other Courts where the said matter shall be depending; And the Judges of the said Courts are hereby strictly enjoined and required to admit the same, and to acquit and Indemnifie them and every of them, of and from all such Suits, Indictments,

Officers sued  
may plead the  
general issue.

11. Car. 2.  
cap. 18.



Indictments, Informations, or Prosecutions, for or concerning any matter or thing acted or done in the due and necessary performance and execution of their respective trusts and employments therein.

To redress  
fraudulent  
compositions.

Be it hereby also Enacted for avoiding of fraudulent Compositions, That if any Seizer, Informer, or Officer as aforesaid, shall not prosecute to effect for the bringing to Tryal and Condemnation the Ships, Goods, and Merchandize by them Seized or Informed against, That then and in every such case, it shall be lawful to and for any of the person or persons which are or shall be appointed by his Majesty for managing his Customs, or the Officers of the Customs, or other person or persons deputed by them, or thereunto Authorized by the Lord-Treasurer, or Under-Treasurer to make seizure of, or inform against such Goods and Merchandize, or bring his Action for the same by way of Devenerunt, and that they shall be esteemed and adjudged in Law as the true first Informers and Seizers, and have the benefit of such Informers or Seizers, Any Law, Statute, Act or Usage to the contrary in any wise notwithstanding.

Composition  
to be one third

And that no Informer or Officer be suffered to compound under one third of the appraised value upon loss of his Office.

Rewards to  
connive at  
false entries.

Be it further Enacted by the Authority aforesaid, That if any of the Kings Majesties Officers, or other persons appointed to manage his Majesties Customs, Searchers, Waiters, or other person or persons whatsoever deputed and appointed by, and under them, or any of them, or any other Authority whatsoever, and employed in or about the Affairs of the Kings Customs and Subsidies, shall directly or indirectly take or receive any Bribe, Recompence, or Reward, in any kind whatsoever, or connive at any false Entry of any Goods or Merchandizes, whereby the Kings Majesty, his Heirs or Successors, shall be defrauded or hindered, in, or of his Customs, and Subsidies, or other sums of money or Goods prohibited by the Law to be Imported or Exported into or out of the Kingdom of England, Dominion of Wales, Town and Port of Berwick, be suffered to pass either by way of Importation or Exportation, the person or persons therein offending shall forfeit the sum of one hundred pounds, and be forever afterwards incapable of any Office or Employment under the Kings Majesty, his Heirs or Successors, or any Authority derived from them, as also the Merchant, Mariner, or other person or persons whatsoever, who shall give or pay any such Bribe, Recompence, or Reward as aforesaid, shall forfeit the sum of fifty pounds.

Penalty.

Offender con-  
fessing his  
offence.

Provided nevertheless, that if any person or persons offending as aforesaid, shall reveal and make known such his or their offence in two months time to the Treasurer of England, the Chancellor, Under-Treasurer, or Barons of the Exchequer, he shall for that Offence be clearly acquitted and discharged.

Order of land-  
ing by Bills at  
sight.

And be it further Enacted, That all foreign Goods and Merchandize which by the person or persons which are or shall be appointed by his Majesty for the managing of the Customs, and the Customer, Collector and Comptroller, shall be permitted to be landed and taken up by Bills at sight, Bills at view or sufferance shall be landed at the most convenient Keyes or Wharfs where the said person or persons so to be appointed Customer or Collector and Comptroller, shall appoint, and not elsewhere, and there or in his Majesties Store-house of the respective Ports, at the Election of the said person or persons so to be appointed, and Officers, shall be measured, weighed, and numbered, by and in the presence of the Officers, to be thereunto particularly appointed; which said Officers so appointed shall perfect the Entry, and thereunto shall subscribe their Names, and the next day following shall give Accompt and make report of every respective Entry so perfected, as aforesaid, to the said person or persons which are or shall be appointed to manage his Majesties Customs, Customer, or Collector and Comptroller aforesaid, without reasonable cause to be allowed by the said person or persons, or Officers aforesaid, or in default thereof shall forfeit the sum of One hundred pounds.

Be

Be it also Enacted, That no Ship, Vessel, or Boat, appointed and employed ordinarily for the Carriage of Letters and Pacquets shall (unless it be in such Cases as shall be allowed by the said person or persons which are or shall be appointed to manage His Majesties Customs, or Officers aforesaid) Import or Export any Goods or Merchandize, into or out of the parts beyond the Seas, upon the penalty of the forfeiture of one hundred pounds to be paid by the Master of the said Vessel or Boat, with the loss of his place; and all Goods and Merchandize that shall be found on Board any such Ship, Vessel or Boat shall be forfeited and lost.

No Packet boats to carry Merchandize.

And whereas some doubts and disputes have arisen concerning the said late Act, For encreasing and encouraging of Shipping and Navigation, about some of the Goods therein prohibited to be brought from Holland, and the parts and Ports thereabouts; Be it Enacted and declared, That no sort of Wines (other then Rhenish) no sort of Spicery, Groceries, Tobacco, Pot-ashes, Pitch, Tar, Salt, Rozen, Deal-boards, Fir, Timber, or Olive-Oyl, shall be imported into England, Wales, or Berwick, from the Netherlands, or Germany, upon any pretence whatsoever in any sort of Ships or Vessels whatsoever, upon penalty of the loss of all the said Goods, as also of the Ships and furniture.

These goods shall not be brought from Holland.

And whereas also by the said Acts, For encouraging and increasing of Shipping and Navigation, an Imposition of five shillings per Tun is laid upon all Ships or Vessels belonging to any Subjects of the French King, which shall come into any Port, Harbour, Creek, or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and shall there lade or unlade any Goods, or take in or set on shore any Passengers, yet notwithstanding there is great difficulty in recovering the said Duty, because small Shallops come not into Harbours where Officers are, but either put their Goods and Passengers on shore, or Boats come out of Harbours, which privately convey them on shore, there being no penalty in the Act against such Offenders; Be it therefore Enacted, That any such Ship or Vessel upon which the abovesaid Imposition of five shillings per Tun is due and payable, which shall either put on shore, or put over into any Boat any Goods or Passengers without payment of Custom and Imposition of Tonnage, at any time returning into any Harbour, Port, or Creek; of England or Ireland, shall not only pay the Duties formerly due, but forfeit the sum of ten pounds; And whatsoever Pilot, Water-man, or Boat-man, which shall from any Harbour, Port, or Creek go out and bring any Goods from on Board such Vessel, shall not only be liable to pay the Duty of Tonnage which the said Vessel should have paid, but forfeit the sum of forty pounds.

No Englishman to unlade goods out of French Vessels out of a Port.

Be it also hereby Enacted, That Vinegar, Perry, Rape, Cider, and Cider-cager, of any sort or kind whatsoever, Imported from and after the four and twentieth day of June, One thousand six hundred sixty and two, from Foreign parts, is hereby Rated to pay to the Kings Majesty a Subsidy of Tonnage of four pounds ten shillings per Tun Imported by English, and six pounds Imported by Strangers, according to the Rate already imposed and set upon French Wines, to be Collected and Levied for such time, and in such manner as by the Act of Tonnage and Poundage is directed and appointed; And the same are by virtue of this Act exonerated and discharged of all further and other sums heretofore set or charged upon those Commodities, by or under the name of Subsidy or poundage; And in case of Exportation there shall be repaid and allowed to the English man Exporter, the sum of three pounds ten shillings per Tun, and to the Alien four pounds fifteen shillings per Tun, to be repaid according to the Rules of the Book of Rates now established.

Tonnage.

And whereas the Ingenious Industry of these times hath taught the Dyers of England the Art of fixing the Colours made of Logwood, alias Blockwood, so as that by experience they are found as lasting and serviceable as the Colours made with any other sort of Dying-Wood whatsoever; And whereas by a Statute

Logwood allowed in dying, and the Statutes against it repealed.



Statute made in the three and twentieth year of the Reign of Queen Elizabeth of famous memory, Entituled, Logwood and Blockwood shall not be used in Dying of Cloath, &c. And by another Statute made in the nine and thirtieth year of the aforesaid Queen Elizabeth, (Entituled, The Penalty for mixing or using of Logwood in Dying Cloath, or other Stuff) all Logwood, alias Blockwood, that shall be found within this Kingdom shall be forfeited and openly burned, with divers other Pains, Penalties, and Forfeitures upon such as shall use the same in Dying Cloath or other Commodities, as by the said several Acts aforesaid may and doth appear: Be it further Enacted by the Authority aforesaid, That the aforesaid Statutes, and either of them, be and are hereby Repealed and made void as to all Clauses, Articles, Provisions, and Penalties in any wise relating to the prohibition or use of Logwood, alias Blockwood, And that from and after the first day of February, One thousand six hundred sixty and one; It shall and may be lawful to and for any person or persons, freely to Import into this Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, any quantities of Logwood, alias Blockwood, and freely to use the same in Dying or Colouring any sort of Goods or Manufacture whatsoever, The aforesaid two Statutes, or any other Law, Statute, Usage, Custom, Patent of Privilege, Proclamation, or other Restraint, Matter or Thing to the contrary thereof in any wise notwithstanding.

Logwood may be imported.

Provided, That such Importation be according to the Rules prescribed and enjoined in the late Act, Entituled, An Act for encouraging and encreasing of Shipping and Navigation, and paying a Subsidy to the Kings Majesty, His Heirs and Successors, for every Tun of the said Logwood, alias Blockwood, so to be Imported after the rate of five pounds, and after that rate for any greater or lesser quantity according to such Rules, and under such Penalties as are provided for all other Imported Goods in a late Act, Entituled, An Act of Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported, ( Excepting only that for all of the said Commodities Exported according to the Rules of the Book of Rates there shall be repaid to the Exporter the sum of four pounds per Tun, the said Rate for Logwood, alias Blockwood, to be Collected and Levied for such time, and in such manner as by the Act of Tonnage and Poundage is directed and appointed. )

Paying Tonnage and other duties.

12. Car. 2. cap. 4.

And be it further Enacted, That all Actions, Suits, and Informations to be had and commenced upon the Act, For encouraging and increasing of Shipping and Navigation, or any Clause or Article therein, may be entered and prosecuted in His Majesties Court of Exchequer at Westminster, That upon all such Suits and Informations to be brought upon the Act of Tonnage and Poundage, and the Act aforesaid, or any other Act or Statute concerning the Importation of Goods or Merchandize from the parts beyond the Seas, if the property thereof be claimed by any person or persons as the Importer thereof; in such case Onus Probandi shall lie upon the Owner or Claimer thereof; Provided that in case the seizure or information shall be made upon any clause or thing contained in the late Act, Entituled, An Act for the encouraging and increasing of Shipping and Navigation, that then the Defendant or defendants shall on his or their request have a Commission out of the High Court of Chancery to examine witnesses beyond the Seas, and have a competent time allowed for the return thereof before any tryal shall be had upon the Case, according to the distance of place where such Commission or Commissions are to be executed, & that the Examination of Witnesses so returned shall be admitted for evidence in Law at the tryal, as if it had been given Viva voce by the Examinee in Court, Any Law, Statute, or Usage to the contrary in any wise notwithstanding.

Suits upon the Act of Navigation in the Exchequer.

Commission to examine witnesses.

Writ of Delivery.

And be it also Enacted and ordained by the Authority aforesaid, That no Writ of Delivery shall be granted out of the Court of Exchequer for Goods Seized, but upon good Security; and that for Goods perishable only, or in cases where the

the Informer shall defer or delay his coming to as speedy a tryal as the Course of that Court will permit, and shall be thereby Ordered and Directed.

And be it further Enacted by the Authority aforesaid, That one Moyety of all the Forfeitures before in this Act mentioned and appointed, shall be to the Kings Majesty, His Heirs and Successors, and the other Moyety to such person or persons as shall Seize or Sue for the same by Bill, Plaint, or Information in His Majesties Court of Exchequer, or any other His Majesties Courts of Record, wherein no Escoin, Protection, or Wager of Law shall be allowed.

Forfeitures distributed.

And be it further Enacted and ordained, That all Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Castles, and Block-houses, as also all Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables and Headboroughs, and all the Kings Majesties Officers, Ministers, and Subjects whatsoever whom it may concern, shall be aiding and assisting to all and every person and persons which are or shall be appointed by His Majesty to manage His Customs, and the Officers of His Majesties Customs, and their Respective Deputies in the due Execution of all and every Act and thing in and by this present Act required and enjoined; And all such who shall be aiding and assisting unto them in the due execution hereof, shall be defended and saved harmless by vertue of this Act.

Officers to be assistant.

And be it hereby also Enacted, That all Deputies, Clerks, and Servants which now have any Place or Office in or about the Customs and Subsidies by and under the Commissioners, or other the Kings Officers thereof, shall before the first day of June next, take their respective Corporal Oath and Oaths for the true and faithful execution & discharge, to the best of their knowledge and power, of their several Trusts and Employments committed to their Charge and Inspection; And that no person or persons shall hereafter be employed or put in trust in the business of the Customs until he shall first have taken his Oath as aforesaid; And the Commissioners and principal Officers in the Port of London, and the principal Officers in all other the Out-ports, or any two of them, are hereby Authorized to Administer and give to all and every person or persons such Oath and Oaths as aforesaid, and to cause the same to be Entred and Registered in the Custom-House of every respective Port where the person so taking the Oath as aforesaid, shall have his residence and employment.

Officers to take Oaths.

Provided also, and be it Enacted by the Authority aforesaid, That if any person employed in His Majesties Customs shall demand or take any other or greater sum of money then by Law is now due, or hereafter shall become due, or shall put any merchant or other person out of his turn without expresse Order before, or immediate approbation after, from the person or persons who are or shall be appointed by His Majesty to manage His Customs, or the Superior Officers for the Customs, or shall illegally detain the Goods of any person, or shall neglect or refuse to make Re-payments and Allowances which are or shall be due since the four and twentieth of June, One thousand six hundred and sixty, or shall not after notice given, give out and Execute his Warrant, shall be liable to double Costs and Damages.

Extortion by Officers.

Merchants to be dispatched by turns.

Allowances and repayments to Merchants.

And for the better increase of good and serviceable Shipping, and securing the publick Trade and Commerce, Be it Enacted by the Authority aforesaid, That all and every Merchant or other person that shall after the Nine and twentieth day of September, One thousand six hundred sixty and two, Export any Goods or Merchandizes from any Port of this Kingdom capable of a Ship or Vessel of two hundred Tun upon an Ordinary full Sea, to any part or place of the Mediterranean Sea beyond the Port of Malaga, or Import any Goods or Merchandize from the Ports or places aforesaid to any Port of this said Kingdom, in any Ship or Vessel that hath not two Decks, and doth carry less then Sixteen Pieces of Ordnances mounted together, with two men for each Gun, and other Ammunition proportionable, shall pay to our Sovereign

The Contents of Ships, and number of guns and men.



Penalty of u-  
sing less.

reign Lord the King for all and every the Wares and Merchandizes so Ex-  
ported or Imported, one per centum over and above the Rates and Duties of  
Subsidy of Tonnage and Poundage otherwise due and payable for  
the same, Any thing in this Act before contained to the contrary notwith-  
standing.

Proviso if half  
the lading be  
Fish.

Provided alwaies, that it shall and may be lawful to Export from any of His  
Majesties Dominions Fish into any the Ports of the Mediterranean Sea afore-  
said, in any English Ship or Vessel whatsoever, Provided, that one moiety of  
her full Lading be Fish only, and in such case to Import any Wares, or Mer-  
chandize in the same Ship for that Voyage, without paying any other Rates or  
Duties of Tonnage, or Poundage for the same then were heretofore accu-  
stomed.

Builders of  
new great ships  
rewarded.

And for the better encouragement of building good and Defensible Ships, We  
it Enacted, That all and every person or persons that shall within the space of  
seven years, from and after the five and twentieth day of March, One thousand  
six hundred sixty two, build, or cause to be built within any of His Majesties  
Dominions any Ship or Vessel of three Decks, or two Decks and a half, with  
a Fore-Castle, and five foot between each Deck, mounted with thirty Pieces  
of Ordnance at least, and other Ammunition proportionable, shall for the first  
two Voyages which the said Ship or ships make from His Majesties Domini-  
ons to any foreign parts, have and receive to his and their own proper use and  
benefit one tenth part of the Customs that shall be paid to His Majesty for all  
such Goods or Merchandizes, as shall be Exported or Imported on the said  
Ship or Ships to and from this Kingdom; And the Commissioners and Offi-  
cers of His Majesties Customs are hereby impowred and required to pay the  
same to the Owner or Owners of the said Ship or Ships accordingly.

Custom for  
salt imported.

Provided alwaies, and be it herby Declared and Enacted, That from and  
after the four and twentieth day of June, One thousand six hundred sixty two,  
All Salt which shall be brought out of the Kingdom of Scotland into this  
Kingdom, the Dominion of Wales, or Town of Berwick upon Tweed, shall yield  
and pay, and is hereby made Chargeable to yield and pay unto the Kings  
Majesty one Halfpenny upon every Gallon of such Imported Salt of Win-  
chester Measure at the landing thereof, Any thing in this present Act, or any  
former or other Law, Statute, or Order to the contrary thereof in any wise not-  
withstanding.

#### C A P. XII.

An Act for the better Relief of the Poor of this Kingdom.

Preamble.

**W**hereas the necessity, number, and continual increase of the Poor, not on-  
ly within the Cities of London, and Westminster, with the Liberties of  
each of them, but also through the whole Kingdom of England, and Dominion  
of Wales, is very great, and exceeding burthensome, being occasioned by reason  
of some defects in the Law, concerning the settling of the Poor, and for  
want of a due Provision of the regulations of relief and imployment in  
such Parishes or places where they are legally settled, which doth enforce  
many to turn incorrigible Rogues, and others to perish for want, toge-  
ther with the neglect of the faithful execution of such Laws, and Sta-  
tutes, as have formerly been made for the apprehending of Rogues and  
Vagabonds, and for the good of the Poor; For remedy whereof, and for  
the preventing the perishing of any of the Poor, whether Young or Old,  
for want of such supplies as are necessary, May it please Your most Ex-  
cellent Majesty that it may be Enacted, and be it Enacted by the Kings  
most Excellent Majesty, by and with the Advice and Consent of the  
Lords Spiritual and Temporal, and the Commons in this present  
Parliament Assembled, and by the Authority of the same, that whereas  
by

Grievance.

by reason of some defects in the Law, poor people are not restrained from going from one Parish to another, and therefore do endeavour to settle themselves in those Parishes where there is the best Stock, the largest Commons, or Wastes to build Cottages, and the most Woods for them to burn and destroy, and when they have Consumed it, then to another Parish, and at last become Rogues and Vagabonds, to the great discouragement of Parishes to provide Stocks, where it is lyable to be devoured by Strangers; Be it therefore Enacted by the Authority aforesaid, that it shall, and may be lawful, upon complaint made by the Churchwardens, or Overseers of the Poor of any Parish, to any Justice of Peace within forty dayes after any such person or persons coming so to settle as aforesaid in any Tenement under the yearly value of ten pounds, for any two Justices of the peace, whereof one to be of the Quorum, of the Division where any person or persons that are likely to be chargeable to the Parish shall come to inhabit, by their warrant to remove and convey such person or persons to such Parish where he or they were last legally settled, either as a native Householder, Sojourner, Apprentice, or Servant, for the space of forty daies at the least, unless he or they give sufficient security for the discharge of the said Parish to be allowed by the said Justices.

Two Justices to send poor people to the place where they had last inhabited for forty daies.

Provided alwaies, that all such persons, who think themselves aggrieved by any such Judgment of the said two Justices, may appeal to the Justices of the Peace of the said County at their next Quarter Sessions, who are hereby required to do them Justice according to the merits of their Cause.

Appeal to the Sessions.

Provided also, that ( this Act notwithstanding ) it shall and may be lawful for any person or persons to go into any County, Parish, or place to work in time of Harvest, or at any time to work at any other work, so that he, or they carry with him, or them a Certificate from the Minister of the Parish, and one of the Churchwardens, and one of the Overseers for the poor for the said Year that he, or they have a dwelling house, or place in which he or they inhabit, and hath left Wife and Children, or some of them there, ( or otherwise as the condition of the person shall require ) and is declared an Inhabitant, or Inhabitants there: And in such case, if the person or persons shall not return to the place aforesaid, when his or their work is finished, or shall fall sick, or impotent, whilst he or they are in the said work, it shall not be accounted a Settlement in the Cases abovesaid, but that it shall and may be lawful for two Justices of the Peace to convey the said person or persons to the place of his or their Habitation, as aforesaid, under the pains and penalties in this Act prescribed: And if such person or persons shall refuse to go, or shall not remain in such Parish where they ought to be settled, as aforesaid, but shall return of his own accord to the Parish from whence he was removed, it shall be lawful for any Justice of the Peace of the City, County or Town-Corporate, where the said Offence shall be committed, to send such person or persons offending to the House of Correction, there to be punished as a Vagabond, or to a publick Work-house in this present Act hereafter mentioned, there to be employed in work or labour: And if the Churchwardens, and Overseers of the Poor of the Parish, to which he or they shall be removed, refuse to receive such person or persons, and to provide work for them, as other Inhabitants of the Parish, any Justice of Peace of that Division may and shall thereupon bind any such Officer or Officers, in whom there shall be default, to the Assizes or Sessions, there to be indicted for his or their Contempt in that behalf.

Proviso for Harvest labourers bringing certificates, &c.

Provision if such Labourers fall sick.

Offender returning.

Officer refusing to receive Vagrants.

And for the further redress of the mischiefs intended to be hereby remedied, Be it Enacted by the Authority aforesaid, That from thenceforth there be, and shall be, one, or more Corporation or Corporations, Work-house or Work houses within the Cities of London and Westminster, and within the Boroughs, Towns and places of the County of Middlesex and Surry,

Corporation Work-house created.



The Officers  
of the Corpo-  
ration in Lon-  
don.

situate, lying and being within the Parishes mentioned in the weekly Bills of Mortality, consisting of a President, a Deputy to the President, and a Treasurer; And that the Lord Mayor of the City of London for the time being, be President of the Corporation or Corporations, Work-house or Work-houses within the said City, and the Assistants to be the Aldermen of the said City of London for the time being, and fifty two other Citizens to be chosen by the common Council of the said City: And that the said President and Assistants or the major part of them shall and may elect a Deputy, President and Treasurer, and all other necessary Officers hereby constituted and authorised to execute the powers and Offices by this Act appointed: And that upon the vacancy by death or otherwise of any Assistant, the power to elect in their rooms be in the said common Council, and the Election of the Deputy-President, or Treasurer, and all other Officers, in the said President, and major part of the Assistants, as aforesaid: And that a President, a Deputy-President, a Treasurer, and Assistants be nominated and appointed by the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being out of the most fit persons inhabiting in the City of Westminster, or the Liberties thereof, for the Corporation or Corporations, Work-house or Work-houses within the same.

Officers in  
Middlesex and  
Surrey.

New Officers  
upon death  
&c.

Account to  
the Quarter  
Sessions.

Corporation  
perpetual.

The name of  
it.

Courts held by  
the Corpora-  
tion.

And for the said places within the weekly Bills of Mortality in the said Counties of Middlesex and Surrey respectively, there shall be elected and chosen by the major part of the Justices of the Peace for the said Counties in their respective Quarter Sessions assembled, out of the most able and honest Inhabitants and Freeholders of every of the said Counties of Middlesex and Surrey respectively, a President, a Deputy-President, a Treasurer and Assistants for the Corporation or Corporations, Work-house or Work-houses of the places aforesaid in Middlesex and Surrey; And that upon the vacancy by death, or otherwise of any of the presidents, Deputy-presidents, Treasurers or Assistants in the City of Westminster, and places aforesaid in Middlesex and Surrey, the power to elect others in their rooms be in the major part of the respective Justices of Peace, who in their General Quarter Sessions from time to time shall accordingly supply such vacant places; And that at every Quarter Sessions they shall require, and take an account in writing of all the Receipts, Charges and Disbursements of the Officers and Treasurer of such Corporation or Corporations, Work-house or Work-houses, how, and how many Poor people have been employed, and set to Work in the year last past, and what stock there was, and is remaining; which President, Deputy-President, and Treasurer for the time being respectively, shall for ever hereafter in name, and fact be Bodies Politick, and Corporate in Law to all intents and purposes, and shall have a perpetual Succession, and may sue or plead, or be sued, and Impleaded by the Name of the President, and Governours for the Poor of the respective places aforesaid, in all Courts and places of Judicature within this Kingdom, and the Dominion of Wales, and the Town of Berwick upon Tweed, and by that Name every of the said Corporations shall and may without License in Mortmain purchase or receive any Lands, Tenements, or Hereditaments, not exceeding the yearly value of three thousand pounds per annum of the Gift, Alienation, or Devise of any person or persons, who are hereby without further License enabled to give the same, and any Goods, Chattels, or Sums of money whatsoever, to the use, intent, and purposes hereafter limited and appointed; And that each respective Corporation, or any Seven of them, shall have hereby Power and Authority from time to time, to meet and keep Courts for the ends and purposes in this Act expressed, at such time and place, as shall be appointed by the said President, his Deputy, or the Treasurer who are hereby required upon the desire of any four of the said Corporation, at any time to cause a Court to be warned accordingly; And shall have hereby Authority from time to time to make, and appoint a Common Seal for the use of the said Corporation.

And

And it is further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for the said President, and Governours of the said Corporations for the time being, or any two of them, or to or for any person authorised and appointed by them, or any two of them, from time to time to apprehend or cause to be apprehended any Rogues, Vagrants, Sturdy Beggars, or Idle, or disorderly persons within the said Cities, and Liberties, Places, Divisions, and Precincts, and to cause them to be kept, and set to work in the several, and respective Corporations, or Work-houses; And it shall and may be lawful for the major part of the Justices of Peace in their Quarter-Sessions to signify unto His Majesties Privy Council the names of such Rogues, Vagrants, Idle, and Disorderly persons, and sturdy Beggars, as they shall think fit to be transported to the English Plantations; and upon the approbation of His Majesties Privy Council to the said Justices of Peace signified, which persons shall be transported, it shall and may be lawful for any two, or more of the Justices of the Peace, them to transport, or cause to be transported, from time to time, during the space of three years, next ensuing the end of this present Session of Parliament, to any of the English Plantations beyond the Seas, there to be disposed in the usual way of Servants, for a term not exceeding Seven years.

Power given to the Corporation to apprehend Vagrants.

And certify their names to the King and Council to be Transported.

And be it further Enacted by the Authority aforesaid, That if the President and Governours of any of the said Corporations shall certify under their common Seal, their want and defect either of a present stock for the foundation of the Work, or for supply thereof for the future, and what sum or sums of money they shall think fit for the same, to the Common Council of the said City of London, and the Burgesses and Justices of Peace in their Quarter-Sessions of the said City of Westminster, and the Liberties thereof, or the Justices of the respective Counties of Middlesex and Surrey, assembled in either Quarter-Sessions, that thereupon the Common Council of the said City of London, the Burgesses of the said City of Westminster, and the Justices of Peace of the said Cities and Counties in their Quarter-Sessions assembled, are hereby required from time to time to set down, and ascertain such competent sum and sums of money for the purposes aforesaid, not exceeding One years Rate from time to time usually set upon any person, for, or towards the relief of the Poor, and the same to proportion out upon the several Wards, Precincts, Counties, Divisions, Hundreds, and Parishes, as they shall think fit; And thereupon the Aldermen, Deputies, and Common Council men of every Ward in the City of London, and Burgesses and Justices of the Peace of the City of Westminster, and the Liberties thereof, and Justices of the Peace of the said Counties of Middlesex and Surrey, shall have power and authority, and are hereby required equally and indifferently, according to the proportions appointed as aforesaid, for the several Wards, Precincts, Cities, and Parishes, as aforesaid, to Tax and Rate the several Inhabitants within the said respective Wards, Precincts and Parishes, as well within Liberties as without; with which Tax if any person or persons find him, or themselves aggrieved, supposing the same to be unequal, he or they shall and may make their complaint known to the Justices of the Peace at the next open Sessions, who shall take such final order therein, as in like cases is already by the Law provided.

Power to make a Tax to set the poor on work.

And it is further Enacted by the Authority aforesaid, That it shall and may be lawful to and for any Alderman of the City of London, or his Deputy, or the Burgesses, and Justices of Peace of the City of Westminster, and the Liberties thereof, or any two or more of them, or any two Justices of the peace, of the respective Counties of Middlesex and Surrey, by their Warrant under their Hands and Seals, to authorize the Church-wardens, or Overseers for the poor within the places and parishes aforesaid, to demand, gather, and receive of every person and persons, such sum and sums of money, as shall be Assessed upon them by virtue of the Taxations, and Contributions aforesaid; And for default of payment within Ten daies after demand thereof made, or notice in writing

Justices enabled to levie the Tax.



writing left at the dwelling house or lodging of every person so Assessed, to levy the same by Distress and Sale of the goods of every such person, and after satisfaction made, to restore the surplusage to the party so distrained.

Legacies and  
Sums of money  
in particular  
hands recover-  
ed.

And be it Enacted by the Authority aforesaid, That all Stocks raised for the relief, and imployment of the Poor, in the City of London, and Liberty thereof, which was in the hands of a Corporation heretofore appointed in the said City for that service, or in the hands of any other person or persons whatsoever, before the Nine and twentieth day of September, which was in the year of our Lord, One thousand six hundred and sixty, commonly called the Feast of St. Michael the Archangel, or at any time since, together with all the Arrears of money formerly allotted for that Service, or Legacies given to the same end, shall be payable to the Treasurer of the Corporation, or Corporations, Work-house, or Work-houses to be established by this present Act, who are hereby authorized and impowered by themselves, or their Officers thereunto by them Deputed, to collect, gather, receive, and recover the said money and Legacies, which shall be due and in arrear, as aforesaid; with which said Arrears and every part and parcel thereof, the Corporation, or Corporations aforesaid, by this Act made, constituted, and established is, and shall be hereby invested, and interested for the execution of the service hereby enjoined them; And all those that have had or now have any of the said Stocks in their, or any of their hands shall be accountable to the said Treasurer, or to those that shall be appointed by the said Corporation or Corporations, or any Seven or more of them to take the said account.

To whom  
paid.

Necessary ex-  
pences there-  
out.

Provided alwaies, And be it Enacted by the Authority aforesaid, That there shall be a full allowance of all just, and necessary expences, which have been laid out by the said former Corporation for the relief of the said Poor, and the carrying on of the said Service since the time before expressed.

Power to  
make By-laws.

And it is further Enacted by the Authority aforesaid, That the respective President and Governours, or any Seven of them shall have power from time to time to make, and constitute Orders and By-laws for the better relieving, regulating, and setting the poor to Work, and the apprehending, and punishing of Rogues, Vagabonds, and Beggars within the Cities, Liberties, and places aforesaid, that have not wherewith to maintain themselves, and for other the matters aforesaid.

Officers.

Provided the said Orders and By-laws shall from time to time be presented to the Justices of peace in their Quarter-Sessions assembled, to be allowed by the major part of them, and confirmed by order of the said Court.

And it is further Enacted by the Authority aforesaid, That the President and Governours of any of the said Corporation, or Corporations, Work-house, or Work-houses, or any fourteen or more of them being assembled together, shall have hereby power to choose and entertain all such Officers, and other as shall be needful to be employed in, and about the premises, and them, or any of them from time to time to remove as they shall see cause; and upon the death or removal of them, or any of them to choose others in their places, for the carrying on of the Work, and to make and give such reasonable allowances unto them, or any of them, out of the Stock, and Revenue belonging to the said Corporation, or Work-house, as they shall think fit.

Sheriffs, &c. to  
aid and assist.

And it is further Enacted by the Authority aforesaid, that all Sheriffs, Bailiffs, Constables, and all other Officers, and Ministers of Justice shall be aiding and assisting to the said Corporation, or Corporations, and to all such Officers as shall be employed by them, or any of them in the execution, or performance of the said Service.

Two Justices  
of Peace may  
choose new  
Constables &c  
upon death or  
absence.

And whereas the Laws and Statutes for the apprehending of Rogues, and Vagabonds, have not been duly executed sometimes for want of Officers, by reason Lords of Manors do not keep Court-Leets every year for the making of them; Be it therefore Enacted by the Authority aforesaid, that in case any Constable, Headborough, Tything-man shall die, or go out of the

the Parish, any two Justices of the Peace may make and swear a new Constable, Headborough, or Tything-man until the said Lord shall hold a Court, or until next Quarter-Sessions, who shall approve of the said Officers so made and sworn as aforesaid, or appoint others as they shall think fit: And if any Officer shall continue above a year in his or their Office, that then in such case, the Justices of Peace in their Quarter-Sessions may discharge such Officers, and may put another fit person in his or their place, until the Lord of the said Manor shall hold a Court as aforesaid.

And in default of the Lord of the Leet may choose those Officers.

And whereas for want of some encouragement to such person, or persons as shall apprehend Rogues, Vagabonds, and sturdy Beggars, the Statutes made in the Nine and thirtieth year of Queen Elizabeth, and first year of King James, in which Statutes the Constable, Headborough, or Tything-man of every Parish that shall not apprehend such Rogues, Vagabonds, and sturdy Beggars, which shall pass through, or be found in their said parish unapprehended, such Constable, Headborough, or Tything-man, shall forfeit as in the said Statutes is expressed, are not duly executed; Be it therefore Enacted by the Authority aforesaid, That it shall and may be lawful to, and for any Justice of Peace to whom any Rogue, Vagabond, or sturdy Beggar so apprehended shall be brought, to reward any person, or persons that shall apprehend any Rogue, Vagabond or sturdy Beggar, by granting unto such person or persons an Order or Warrant under his Hand and Seal to the Constable, Headborough or Tything-man of such Parish where such Rogue, Vagabond, or sturdy Beggar passed through unapprehended, requiring him to pay such person or persons the sum of Two shillings for every Rogue, Vagabond, or sturdy Beggar which shall be so apprehended: And if such Constable, Headborough, or Tything-man refuse, or neglect to pay the Two shillings as aforesaid, that then the said Justices of Peace, or any other Justice or Justices of Peace shall proceed against any such Constable, Headborough or Tything-man, according to the said Statutes, and to compel him to pay such sum of money as he hath forfeited by the Statute of the first year of King James aforesaid, and to allow out of the said forfeiture the said Two shillings, and such reasonable means and allowance for loss of time, as they shall think fit.

A reward to any who apprehend Vagabonds.

Remedy to recover it.

And if any person or persons shall apprehend any Rogue, Vagabond, or sturdy Beggar at the Confines of any County which passed through any Parish of another County unapprehended, it shall be lawful for such person or persons to go to some Justice of Peace of that County, through which such Rogue, Vagabond, or sturdy Beggar passed unapprehended, who is hereby required (upon a Certificate under the Hand of some Justice of Peace of the County where such Rogue, Vagabond, or sturdy Beggar was so apprehended) to grant his Order, or Warrant, under his Hand and Seal, requiring the said Constable, Headborough, or Tything-man to pay unto such person or persons, as aforesaid, the sum of Two shillings, which if he shall refuse, or neglect to do, then such Justice is hereby required to proceed against such Constable, Headborough, or Tything-man, and to cause him to pay ten shillings, or so much thereof for his Expences and loss of time, as the said Justice of Peace shall think fit, to such person or persons, which he hath forfeited by the Statute aforesaid, made in the Nine and thirtieth Year of the Queen.

The reward for him who apprehends a Vagabond about the confines of two Shires.

Remedy to recover it.

And whereas Constables, Headboroughs, or Tything-men, are or may be at great charge in relieving, conveying with passages, and in carrying Rogues, Vagabonds, and sturdy Beggars to Houses of Correction, or the Work-houses herein mentioned, and as yet have no power by Law to make Rates to reimburse themselves. Be it therefore Enacted by the Authority aforesaid, that all Constables, Headboroughs, and Tything-men so out of purse, as aforesaid, together with the Church-wardens, and Overseers of the poor, and other Inhabitants of the said parish shall hereby have power and authority to make an indifferent Rate, and to tax all the Occupiers of Lands, and Inhabitants, and all other persons chargeable by the Statute of the

Officers paid their charges of conveying Vagabonds, by the Parish.

Three



Three and fortieth of Elizabeth concerning the Office and Duty of Overseers for the Poor within the said Parish, which Rate being confirmed under the Hands and Seals of any two Justices of Peace, as aforesaid, the said Constable, Headborough, or Tithingmen shall have power by Warrant under the Hands and Seals of two Justices of Peace to levy by distress, and Sale of the Goods of any person or persons refusing to pay the same, rendering the Overplus to the Owner, if any shall be.

The Goods  
Rents &c. of  
reputed Fa-  
thers and Mo-  
thers of Bas-  
tards seized.

And whereas the putative Fathers and lewd Mothers of Bastard Children run away out of the Parish, and sometimes out of the County, and leave the said Bastard Children upon the charge of the Parish, where they are born, although such putative Father and Mother have Estates sufficient to discharge such Parish; Be it therefore Enacted by the Authority aforesaid, that it shall and may be lawful for the Church-wardens and Overseers for the Poor of such Parish, where any Bastard Child shall be born, to take and seise so much of the Goods and Chattels, and to receive so much of the Annual rents or profits of the Lands of such putative Father, or lewd Mother, as shall be ordered by any two Justices of Peace as aforesaid, for or towards the discharge of the Parish, to be confirmed at the Sessions, for the bringing up and providing for such Bastard Child; And thereupon it shall be lawful for the Sessions to make an Order, for the Church-wardens or Overseers for the Poor of such Parish, to dispose of the Goods by Sale, or otherwise, or so much of them for the purposes aforesaid, as the Court shall think fit, and to receive the rents and profits, or so much of them, as shall be ordered by the Sessions as aforesaid, of his, or her Lands.

The seizure  
confirmed by  
the Sessions.

Defendants  
Sued may  
plead the Ge-  
neral Issue.

And if any person or persons shall be sued for any matter or thing which he shall do in execution of this Act, he may plead the general issue, and give the special matter in Evidence; And if the Verdict shall pass for the Defendant, or if the Plaintiff be Non-suited or Discontinue his Suit, the Defendant shall recover treble Damages.

Provision for  
Poor in great  
Parishes in the  
North.

Whereas the Inhabitants of the Counties of Lancashire, Cheshire, Derbyshire, Yorkshire, Northumberland, the Bishoprick of Durham, Cumberland and Westmerland, and many other Counties in England and Wales by reason of the largeness of the Parishes within the same, have not, nor cannot reap the benefit of the Act of Parliament, made in the Three and fortieth year of the Reign of the late Queen Elizabeth, for relief of the Poor, therefore be it Enacted by the Authority aforesaid, That all and every the Poor, Needy, Impotent, and Lame person and persons within every Township or Village, within the several Counties aforesaid, shall from and after the passing of this Act, be maintained, kept, provided for, and set on Work within the several and respective Township and Village, wherein he, she, or they shall inhabit, or wherein he, she, or they was or were last lawfully settled, according to the intent and meaning of this Act, and that there shall be yearly chosen and appointed, according to the rules and directions in the said Act of the Three and fortieth year of Queen Elizabeth mentioned, two or more Overseers of the Poor within every of the said Townships or Villages, who shall from time to time do, perform and execute all and every the Acts, Powers, and Authorities for the necessary relief of the Poor within the said Township or Village, and shall lose, forfeit, and suffer all such pains and penalties for Non-performance thereof as is limited mentioned and appointed in and by the said in-part-recited Act.

Shall be set to  
work in the  
several Town-  
ships.

Overseers of  
Poor in every  
Township.

Justices may  
A& in the  
Townships by  
the Stat. of  
43 El.

And be it further Enacted by the Authority aforesaid, that the Justices of Peace within the said Counties shall have and enjoy such and the like powers, and Authorities to raise and levy moneys, and to do and execute all and every such other Act and thing whatsoever, within every Township or Village within the said County where they are Justices, as is given, limited and appointed unto, and for them to do, and execute within any Parish, or Parishes in, and by the said Act made in the said three and fortieth year of the said late Queen

Elizabeth,

Elizabeth, under such and the like pains and penalties for the Non-performance of their Duties, to be levied and disposed of as is nominated and expressed in the said Act.

Provided alwaies, and be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Justices of peace in any of the Counties of England and Wales, in their Quarter-Sessions assembled, or the major part of them to transport, or cause to be transported such Rogues, Vagabonds, and sturdy Beggars, as shall be duly convicted, and adjudged to be incorrigible, to any of the English plantations beyond the Seas.

Justices at  
Quarter-Sessi-  
ons may trans-  
port Vaga-  
bonds, &c.

Provided also, That neither this Act, nor any thing therein contained, shall extend to be, or be construed, expounded, or taken to the prejudice, or infringement of any the Franchises, Rights, Liberties, or Priviledges heretofore granted by the Kings and Queens of this Realm, His Majesties Royal Predecessors, to the Dean and Chapter of the Collegiate Church of St. Peter in Westminster.

Liberties saved  
to the Deans  
of Westminster.

Provided alwaies, That this Act, as to all the matters therein contained (excepting what relates unto the Corporations mentioned and constituted thereby) shall extend, and be in force until the Nine and twentieth day of May, One thousand six hundred sixty five, and the end of the first Session of the next Parliament, then next ensuing, and no longer.

Part of this  
Act to conti-  
nue but for a  
certain time.

## C A P. XIII.

An Act Prohibiting the Importation of Forraign Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons, and Needle-work.

Whereas great Numbers of the Inhabitants of this Kingdom are im-  
ployed in the making of Bone-lace, Band-strings, Buttons, Needle-work, Fringe, and Imbroideries; who by their Industry and Labour have attained and gained so great skill and dexterity in the making thereof, that they make as good of all sorts thereof, as is made in any Forraign parts, by reason whereof, they have been heretofore able to relieve their poor Neighbours, and maintained their Families, and also enabled to set on work many poor Children, and other persons who have very small means, or maintenance of living, other then by their labours and endeavours in the said Art: And whereas the persons so imployed in the said Mystery have heretofore served most parts of this Kingdom with Bone-lace, Band-strings, Buttons, Needle-work, and Imbroidery: And for the carrying on, and managing of the said Trade they have procured great quantities of Thread and Silk to be brought into the Kingdom from Forraign parts, whereby His Majesties Customs and Revenues have been much advanced, until of late, that great quantities of Forraign Bone-lace, Band-strings, Needle-work, Cut-work, Fringe, Silk, Bone-lace, Buttons, and Imbroidery were brought into this Kingdom by Forraigners and Inhabitants of this Kingdom, and sold to Shop-keepers, and others, Dealers in the said Commodity, as well by Whole-sale as Retail, without ever entering of the same in any of His Majesties Custom-houses, or paying any Duty or Custom for the same, by means whereof the said Trade and Calling is of late very much decayed, those imployed in the said Calling very much impoverished, the Manufacture much decreased, and great quantities thereof already made, left on their hands that make it, His Majesty defrauded and deceived in His Customs, and many thousand poor people formerly kept on work in the said Art, like to perish for want of imployment; there being daily great sums of money exported out of this Kingdom, for the buying and fetching in of the said Commodity to the great Impoverishment of the Nation by the Consumption of the Bullion and Treasure thereof, and contrary to several Statutes made in the first of King

Preamble.

Grievances.

G g

Richard



1 R. 3. cap. 12.  
3 E. 4. cap. 4.  
19 H. 7. cap. 21  
5 Ed. cap. 7.

Certain Laces,  
Needle-work,  
&c. not to be  
Imported.

The Penalty  
fifty pound.

The Wares  
forfeited.

Suit to reco-  
ver the forfei-  
tures.

Justices may  
issue out War-  
rants to search  
and seize.

Richard the third; in the third of King Edward the fourth; in the nineteenth of King Henry the seventh; and the fifth of Queen Elizabeth; and to a late Proclamation made by His Majesty that now is, dated the twentieth day of November last, for the putting the said Laws in Execution.

For redress whereof, and prevention of the like mischiefs for the future, and the better relief, comfort, and subsistence of those employed in the said Art and Manufacture; And for the quickning, revising, explaining, amending, and more effectual execution of the said Statutes, Be it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, that no person or persons whatsoever shall, from and after the twenty fourth day of June, One thousand six hundred sixty two, sell, or cause to be sold, or offer to sale, within the Kingdom of England, or Dominion of Wales, or Export any foreign Bone-lace, Cut-work, Imbroider, Fringe, Band-strings, Buttons, or Needle-work made of Thread, Silk, or any, or either, any of them in parts beyond the Seas, or Import, bring in, send, or convey, or cause to be brought in, sent, or conveyed into the Kingdom of England, or Dominion of Wales, any such foreign Bone-lace, Cut-work, Fringe, Imbroider, Band-strings, Buttons, or Needle-work made of Thread, Silk, or any, or either of them beyond the Seas, after the first day of May, which shall be in the said year of our Lord, One thousand six hundred sixty and two, upon pain, that all and every person or persons, who shall sell, or cause to be sold or offer to sale any such foreign Bone-lace, Cutwork, Imbroider, Fringe, Band-strings, Buttons, or Needle-work, shall forfeit and lose for every offence by him committed contrary to this Act, the sum of Fifty pounds, and the whole Bone-lace, Cut-work, Imbroider, Fringe, Band-strings, Buttons, or Needle-work so sold, or caused to be sold, or offered to sale; And upon further pain, That all and every person or persons who shall Import, bring in, send, or convey, or cause to be brought in, sent, or conveyed into this Kingdom of England, or Dominion of Wales, any such Bone-lace, Cut-work, Imbroider, Fringe, Band-strings, Buttons, or Needle-work, shall forfeit and lose for every offence by him committed contrary to this Act, the sum of One hundred pounds, and the whole Bone-lace, Cut-work, Imbroider, Fringe, Band-strings, Buttons, or Needle-work so imported, brought in, sent, or conveyed, caused to be imported, brought in, sent, or conveyed contrary to the form and effect of this present Act as aforesaid; The moiety of all which Forfeitures to be to the use of our Sovereign Lord the Kings Majesty, His Heirs and Successors; and the other moiety to him, or them that shall sue for the same in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, Information, or otherwise, wherein no Essoign, Protection, or Wager of Law shall be allowed, at every time, and as often as any person shall be found to offend in selling, importing, conveying, or bringing in as aforesaid.

And be it further Enacted by the Authority aforesaid, That for the preventing of the Importing of the said Manufactures as aforesaid, upon Complaint and Information given to the Justices of the Peace, or any, or either of them within their respective Counties, Cities, and Towns-Corporate at times reasonable, he or they are hereby authorized and required to issue forth his or their Warrants to the Constables of their respective Counties, Cities, and Towns-Corporate, to enter and search for such Manufactures in the Shops being open, or Ware-houses, and Dwelling-houses of such person or persons as shall be suspected to have any such foreign Bone-laces, Imbroider, Cut work, Fringe, Band-strings, Buttons, or Needle-work within their respective Counties, Cities, and Towns-Corporate, and to seize the same, Any Act, Statute, or Ordinance to the contrary thereof, in any wise notwithstanding.

Provided

Provided alwaies, and be it hereby Enacted and Declared, That all Informations, Actions, and Suits that shall be commenced for any Offence committed against this Law, shall be brought and commenced within Twelve moneths after the discovery of such Offence, Any former Act, or Law to the contrary notwithstanding.

The Action for the forfeiture, within one year after discovery.

## C A P. XIV.

An Act directing the Prosecution of such as are accountable for Prize-Goods.

**V**hereas in the Act of Free and General Pardon, Indemnity, and Oblivion, made in the Twelfth year of Your Majesties Reign, and since confirmed by another Act, Intituled, An Act for Confirming Publick Acts, made in the Thirteenth year of Your Majesties Reign, there is, (amongst other exceptions) excepted all and singular the Accounts of all Prize-Goods, and of all Moneys and other Duties grown due, or contracted upon the Sale, or disposition of them or any of them, By vertue whereof; and of another Act made in the said Thirteenth year of Your Majesties Reign; Intituled, An Act for the Declaring, Vesting, and Settling of all such Moneys, Goods, and other things in His Majesty, which were received, levied, or collected in these late times, and are remaining in the hands, or possession of any Treasurers, Receivers, Collectors, or others not Pardoned by the Act of Oblivion, all and singular Prizes and Ships, and Goods whatsoever seized or taken for Prize (since the Thirtieth of January in the year, One thousand six hundred forty two) by colour, or pretence of any of the late pretended Authorities, or by pretence or colour of any Power, or Authority derived, or pretended to be derived from, or under them or any of them, or otherwise for, or upon any pretence of any publick use; And all Captures and Seizures of Prizes and Tenths of Prizes to, or under pretence of any publick use; And all the moneys arising, or due, or contracted for, upon the Sales, and Dispositions of them, or any of them yet unpaid, or unaccounted for, in whose hands soever the same be, or by whomsoever owing, are rightly vested in Your Majesty; And all the Buyers, and Receivers, and Enjoyers thereof, not having yet truly accounted for, or paid for the same, stand chargeable to Your Majesty.

Former Act recited.

13 Car. 2. c. 3.

Now for that as well by a pretended Act made in the year, One thousand six hundred forty nine, the buyers of Ships and Goods taken, or seized, and sold for Prize, were in case of any failure of performing their Contract, to be condemned in the Court of Admiralty, and in case they were condemned, there to pay the money by them contracted for, then the same to be levied by Execution of the said Court; And for that by reason of other pretended Acts and Ordinances made in those times, all the matters touching Prize and Captures, and Seizures, and Tenths of Prizes, were referred to the said Court of Admiralty, and all the processes, Exhibits, Writings, Examinations, Depositions, Proceedings, Passages, Condemnations, Sentences, Decrees, and Orders, touching and concerning Prizes, and Captures, and Seizures of Prizes, and Tenths of Prizes of what sort soever were had, taken, made, and done in the said Court of Admiralty, and do all, or most of them there remain: So that the said Court of Admiralty being thereof possessed, and best acquainted therewith, and with all the passages thereof; It will be the readiest and quickest way for Your Majesty to Sue for the same in that Court, which being there Sued for, may probably amount to considerable sums of money.

Whereas prize Goods were lately sued for in the Admirals Court.

May it therefore please Your Majesty, that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled; and by the Authority of the same, That all, and every Collectors, and Treasurers, Sub-collectors, and Under-treasurers of Prize-

Prize goods taken after 1642, and before 1660 may be sued for by the King in the Admirals Court. This clause altered by 16, 17 Car. 2. cap.



Goods, Commissioners, and Subcommissioners of Prize-Goods, and all and every their Cashiers, Officers, Deputies, and Receivers, and all, and every Admirals, Vice-Admirals, Captains of Ships, Officers, and Mariners, and all, and every other person and persons whatsoever, to whom such Prizes were delivered, or to whose hands they came at any time since the said thirtieth of January, One thousand six hundred forty and two, and before the Nine and twentieth of May, One thousand six hundred and sixty, or that did surprize or receive to, or for the publique use, or by pretence thereof any Ships, Plate, Jewels, Bullion, Money, Silver, Gold, Arms, Ammunition, Wares, Merchandises, or any manner of Goods whatsoever seized, or taken for Prize within the times aforesaid, and that have not yet truly accompted for, and paid in the same, or the just provenues, and values thereof, and all and every person and persons by whom, or to, or for whose use the same or any of them were sold, or who had and enjoyed the same or any part thereof, and are still behind and have not paid the moneys contracted for, and arising, or due upon such sales, or any of them; and all Securities by them, or any of them given for their just dealing in their Offices, or places, or any thing concerning the said Prizes, or any of them shall be chargeable to your Majesty for the said premises, and all the Dependencies thereof respectively in the said Court of Admiralty, and shall, and may be by your Majesties Advocate, and by such other of your Majesties Council in that Court, as your Majesty shall please particularly to nominate, and commit that affair unto; And by special Warrant under your Sign Manual to appoint to sue for the same in your Majesties Name, and to and for your Majesties use be sued, and Condemned in the said Court of Admiralty, and either called to Accompt, or otherwise by such Suit and in such manner as may be most available for your Majesty, be there proceeded against, Sued, and Prosecuted in due course according to their respective cases for all, and every the said Prizes, Ships, Goods, Moneys, and Premises received, or had by them and still in Arrear, and wherewith they are as aforesaid Chargeable; And the said Court of Admiralty is hereby enabled, and authorized to proceed thereupon according to the Laws and course of that Court, and to do and Minister right and Justice therein, with all things thereto requisite; And to give sentences, and final Decrees, and Condemnations therein, as by the Rules of Justice ought to be, and that in the most speedy manner, and to put in Execution, and finally to Execute, and Levy all and every Sum and Sums, and whatsoever shall be adjudged, sentenced, or condemned by and according to the Rules, and course of Executions in the said Court, and that without any manner of Let, Disturbance, Hindrance, Obstruction, or Impediment whatsoever, that your Majesty may be for the same satisfied, and paid according to right and Justice.

Accomptants  
and Securities  
given by Offi-  
cers for Prize-  
Goods sued in  
The Admirals  
Court.

Court of Ad-  
miralty ena-  
bled to judge  
those matters.

The Duke of  
York as Lord  
High Admiral  
may sue for  
accompts and  
arrears.

Provided alwaies, and be it further hereby Enacted, and Declared by the Authority aforesaid, That all such Rights as (during the Reign of your Majesties Royal Father of Blessed Memory, or your Majesties Reign) belonged and appertained unto the Lord High Admiral of England, or Lord Warden of the Cinque Ports for the time being, by vertue of the said Office, and have been at any time since the year of our Lord One thousand six hundred forty eight, usurped, possessed, or seized, by any person or persons, bodies Politick or Corporate, and not having accompted for the same to any Authority, or pretended Authority, Usurping the Government of this Nation, and not pardoned by the Act of Oblivion, that all such person or persons, bodies Politick or Corporate shall account, and pay the same to His Royal Highness, James Duke of York, Your Majesties only Brother, Lord High Admiral of England, or Lord Warden of the Cinque Ports, upon Suit for the same in the High Court of Admiralty; Any thing in this Act (the absence of the Lord High Admiral during these late Troubles, or the persons not having been employed, or authorized by the said Lord High Admiral) to the contrary in any wise notwithstanding.

Pro-

Provided alwaies, and be it Enacted by the Authority aforesaid, That in case of defect of Jurisdiction in the Court of Admiralty for the recovering, and levying of any such prizes, goods, matters, and things aforesaid; That then in such case upon Certificate thereof from the said Court of Admiralty, made into His Majesties Court of Exchequer, speedy proceedings shall be had in the said Court of Exchequer, for the recovering, and levying of the prizes, goods, matters, and things aforesaid, according to Law and Justice.

If the Admiralty Court cannot do execution, then the Court of Exchequer shall do it.

## C A P. XV.

An Act for regulating the Trade of Silk-throwing.

**W**hereas the Company of Silk-throwers within the City of London, and Liberties, and all their Servants, and Apprentices within four Miles thereof were quinto Caroli primi Incorporated, and made one Body Politick, and are known by the name of the Master, Wardens, Assistants, and Commonalty of the Trade, Art, or Mystery of Silk-throwers of the City of London; And whereas the said Trade is of singular use, and very advantageous to this Common-wealth, by employing the poor, there being employed by the said Company in and about the City of London (as is expressed in their Petition) above forty thousand men, women, and children, who otherwise would unavoidably be burthenome to the places of their abode, And whereas the present Governours of the said Company by their Petition, pray an Enlargement of their Charter, whereby they may be the better enabled to avoid the many Deceipts and Inconveniencies they daily meet withal by Intruders, who have not been brought up Apprentices to the said Trade, and others, who settle themselves beyond the limits of their said Charter, on purpose to avoid the Searchers, and Supervision of the said Governours, by which means they are at Liberty to make, and vend what Wares they please to the disparagement of the said Trade, and discouraging of the Petitioners, and all others of the said Trade that have duly served Apprentices thereunto, according to the known Laws of this Nation.

The name of the Corporation of Silk-throwers.

Grievance.

For remedy whereof, Be it Enacted by the Kings most Excellent Majesty, by and with the advice, and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by Authority of the same, that from and after the twenty fifth day of December, which shall be in the year of our Lord, One thousand six hundred sixty and two, no person, or persons whatsoever, shall directly or indirectly use, exercise, continue, or set up the said Trade, Art, or Mystery of a Silk-thrower within this Realm of England, unless such as are, or shall be Apprentices to the said Trade, or shall have served seven years apprenticeship thereunto at the least, upon pain that every person so offending contrary to this Act, shall pay, forfeit, and lose the sum of forty shillings for every moneth the said person shall use, or exercise the said Trade, the one moiety to the use of his said Majesty, his Heirs and Successors; and the other moiety thereof to such person or persons, as shall sue for the same in any of the Courts of Record within this Realm of England, or before any of the Justices of Oyer and Terminer, or the Justices of peace at their Quarter-Sessions of the peace, by Action of Debt, Bill, Plaint, or Inforcement, or by any other lawful waies or means whatsoever, wherein no protection, wager of Law, or essoin shall be allowed.

None shall exercise the Trade, unless they have served seven years.

Penalty of forty shillings a moneth.

Action for it.

And for the better enabling of the said Master, Wardens, Assistants, and Commonalty of Silk-throwers, and their Successors in their government; Be it further Enacted by the Authority aforesaid, that all and every person and persons whatsoever, now using, or exercising as Masters the said Art, Trade, or Mystery, or such as have served as Apprentices to the said Trade, by the space of seven years at the least, within the said Cities of London and Westminster, and the several Suburbs thereof, or within twenty miles compass of them;

All of this Trade are to admit and enter themselves into the Corporation.

them;



And to be sub-  
ject to the  
laws and or-  
ders of the  
Company.  
Penalty.

Action for it.

By-laws to be  
agreeable to  
the Law and  
Custom of the  
Land.

The Corpora-  
tion may exe-  
cute their au-  
thority.

Provision  
against imbe-  
zeling com-  
modities put  
to work.

Conviction.

Penalty.

them, or either of them, shall before the twenty fifth day of December, which shall be in the Year of our Lord, One thousand six hundred sixty and two, be admitted, and are hereby enjoined to enter themselves into the said Society or Corporation, and to perform, and be subject, and obedient to all such Statutes, Laws, Orders, Ordinances, and Constitutions, as are or shall be made, or ordained for, or concerning the Exercise, Regulation, or Government, of the said Art, Trade, or Mystery, or of any person or persons, using or exercising the same upon pain of forfeiture of the sum of forty shillings for every month he or they shall use, or exercise the said Trade after the said twenty fifth day of December, One thousand six hundred sixty and two; the one moiety thereof to the use of His said Majesty, His Heirs and Successors, and the other moiety thereof to such person and persons as shall sue for the same in any the Courts of Record within this Realm of England, or before any the Justices of Oyer and Terminer, or the Justices of Peace, at their Quarter Sessions of the Peace, by Action of Debt, Bill, Plaint, or Information, or by any other lawful waies or means whatsoever, wherein no protection, wager of Law, or Essoin shall be allowed,

Provided, That such Laws, Orders, Ordinances, and Constitutions so made, or which shall be made, be not contrary, but agreeable with the Laws and Statutes of this said Realm, and the Customs of the said City of London.

And be it further Enacted by the Authority aforesaid, That the said Masters, Wardens, Assistants, and Commonalty, and their Successors, shall, and may have and enjoy, and that it shall and may be lawful to, and for them, from time to time, and at all times hereafter, to do, perform, and execute, within the said Cities of London and Westminster, and the several Suburbs thereof, or within twenty miles compass of them, or either of them, all such grants, powers, privileges, and authorities, as by this present Act, or in, or by the said Letters Patents of Incorporation are given or granted, or mentioned to be given or granted, for, or concerning the regulation, exercise, or government of the said Trade, Art, or Mystery, or any matter or thing relating thereunto; or of such person or persons, as do, or shall exercise the same; Any thing in the said Letters Patents, or any Act, Statute, or other matter or thing to the contrary thereof, in any wise notwithstanding.

And whereas there is a necessity lying upon the Silk-throwers, to deliver to their Winders, or Doublers, considerable quantities of silk, which being of a good value, is by evil disposed persons many times unjustly, deceitfully, and falsely purloined, imbezelled, pawned, sold, and detained, to the great damage, and sometimes the utter undoing of the Thrower who employs the said persons: Be it further Enacted by the Authority aforesaid, That every such silk-winder, and doubler, who shall at any time hereafter unjustly, or deceitfully and falsely purloyn, imbezell, pawn, sell, or detain any part of silk delivered, or to be delivered by any Silk-thrower, or other person to them, or any of them, to wind or double, that in every such case and cases, as well the Winder, or Journey-man so offending, as the Buyer and Buyers, Receiver and Receivers of such Silk, being thereof lawfully convicted, by confession of the party or parties so offending, or by one Witness upon Oath, before one, or more of the Justices of Peace of the County, or Liberty where the same offence, or offences shall be committed; or if it be within any City, or Town-Corporate, before the Mayor, Bailiff, or chief Officer of the said City, or Town-Corporate, who by force of this Act are impowred, and authorized to minister the said Oath, and finally to hear and determine all and every the offences aforesaid; and to give, and make to the party and parties grieved such recompence and satisfaction for such their damage and loss, and charges thereabouts, as by the said Justice, or Justices, or Chief Officers shall be ordered and appointed.

Provided

Provided that no more damage be given or awarded, then the party grieved shall prove he is damaged, and hath expended in looking after the same; And if the partie or parties so offending shall not be able or sufficient to make recompence or satisfaction for the said Offence, nor do make Recompence, or Satisfaction for the same Offence, or Offences, within fourteen dayes next after such conviction in such manner, and form, as by the Justice, or Justices, or chief Officers shall be ordered, and appointed as aforesaid, then the party or parties so offending, for the first Offence shall be apprehended and whipped, or set in the Stocks in the place where the Offence is committed, or in some Market-town in the said County, near unto the place where the Offence or Offences aforesaid shall be committed, as shall be limited and appointed by the said Justice, or Justices of the peace, or chief Officers, and for the second Offence, to incur the like, or such further punishment, by whipping, or being put in the Stocks, as the said Justice, or Justices of the Peace, or chief Officers shall in their discretion think fit and convenient.

If the Offender do not pay.

Then to be whipt.

Second Offence.

And be it likewise Enacted by the Authority aforesaid, that all and every Receiver and Receivers, Buyer and Buyers of any Silk, or such as take to pawn any Silk Imbezelled, or Purloyned, contrary to the meaning of this Act (matter of Fact being proved) shall make satisfaction within the time aforesaid, or else shall be subject to like punishment as by this Act is inflicted, or provided to be inflicted upon such person so imbezelling or purloyning any such Silk as aforesaid.

Remedy against the Receivers of Wares imbezelled.

Provided alwaies, that it shall and may be lawful to and for any Freeman of the said Company of Silk-throwers, to set on work, and employ any person or persons, being Native Subjects to His Majesty and no others, whether they be Men, Women, or Children, to turn the Mill, tye Threads, double Silk, and wind Silk, as formerly they have used to do, although such person or persons who shall be so set on work, and employed in the works and services aforesaid, shall not have served, or been bred up as Apprentices to the trade of Silk-throwing by the space of seven years, and that all and every the said person and persons who shall be set so on work, and employed by any Freeman of the said Company in the works and services aforesaid, shall be and may be employed by any Freeman of the said Company in the works and services aforesaid, or any of them, without any let or molestation. Any thing in this Act to the contrary notwithstanding.

Any Freeman may set Natives on work.

Provided, and be it Enacted, that the said Corporation of Silk-throwers shall not by vertue of this Act, nor any thing therein contained, make any Orders, Ordinances, or By-laws, to set any Rates or Prices whatsoever upon the throwing of Silk, to bind or enforce their Members to work at; but that their respective Members shall be left at liberty to contract with their respective Employers, and also with the persons that they employ at such Rates, as they, and their Employers, and the persons employed, shall agree upon. Any thing in this Act to the contrary in any wise notwithstanding.

No By-law to be made about the prices of under workers.

## C A P. XVI.

An Act for the more speedy and effectual bringing those persons to Accompt, whose Accompts are excepted in the Act of Oblivion.

**B**E it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present parliament assembled, and by the Authority of the same, that all and every person and persons, who are accomptable to the Kings Majesty, and their Accompts are not pardoned, but excepted by the late Act of free and General Pardon, Indemnity and Oblivion, and against whom there is any charge now remaining in His Majesties Exchequer, and shall through their default, not perfect his or their Accompt before the end of Trinity Term, in the year



year of our Lord, One thousand six hundred sixty and two, That then the Charge against all and every such person or persons shall be taken as a Debt by Writing Obligatory, or Recognizance taken, or acknowledged to the Kings Majesty according to the Statute of 33. H. 8. Chap. 39. And that all and every other person or persons, whose accompts are excepted in the said Act of Oblivion, and have or shall have a Charge or Information against them in His Majesties Exchequer before the four and twentieth of June, One thousand six hundred sixty and two, and have or shall have notice thereof by Process out of the Court of Exchequer, or otherwise served upon his person, or left at his house, or last known place of Habitation before the nine and twentieth of September, One thousand six hundred sixty and two, and shall not before the first day of Easter Term, then next ensuing, perfect their Accompts touching the said Charge, that then the Charge against all and every such person or persons shall be taken as a Debt by Writing Obligatory, or Recognizance taken and acknowledged to the Kings Majesty, according to the Statute aforesaid; and that in both the said Cases Process shall be awarded as is used for recovery of Debts due to His Majesty, according to the Statute as aforesaid, against him or them, and against all and every their Sureties not pardoned or discharged by the said Act of Oblivion, and his and their respective Lands, Tenements, Goods, and Chattels, and Debts; and the said Charge to continue in force only, untill the Accompts shall be perfected, and the Accomptants discharge them thereof, in due manner in the said Court of Exchequer, with such allowances as are given by the said Act of Oblivion, and untill payment made unto His Majesty of all such sums of Money as shall be found due upon the determination of his or their Accompts.

## C A P. XVII.

An Act for Relief of Collectors of Publick Moneys, and their Assistants and Deputies.

**B**E it Enacted by the Kings most Excellent Majesty, by, and with the advice and Consent of the Lords Spiritual and Temporal, and the Commons in Parliament now assembled, and by authority of the same, That all Collectors and other persons who have levied or collected, or shall levy or collect any sum or sums of money, or other Act done, or shall do in order to the same, by vertue of any Act of Parliament now in force, or of any other Act, Order, or Ordinance allowed to be put in execution by any such Act of Parliament as aforesaid; and who is, or shall be sued for, or concerning the same, by any other then the Kings Majesty, His Heirs and Successors, he, and they may plead the General Issue, and thereon give the special matter in evidence for his excuse and justification: And that all and every person or persons already sued or impleaded for any the Causes aforesaid, may notwithstanding any Plea, or Demurrer already made by any such Defendant, have liberty to change such his Plea, and to plead the General Issue, if he shall think fit so to do.

Provided alwaies, That neither this Act, nor any thing therein contained shall extend, or be construed to extend to authorize the levying or collecting of any sum or sums of money, which are pardoned by the late Act, Entituled, An Act of Free and General Pardon, Indempnity and Oblivion.

## CAP. XVIII.

An Act against Exporting of Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-Clay, and Tobacco-pipe Clay.

**W**hereas against the Laws of this Kingdom great number of Sheep, and great quantities of Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, or Fulling-Clay, are secretly exported, transported, carried and conveyed out of the Kingdom of England, Dominion of Wales, the Town of Berwick upon Tweed, and Kingdom of Ireland into the Kingdom of Scotland, and into Foreign parts, to the great decay of the Woollen Manufactures, the ruine of many families, and the destruction of the Navigation and Commerce of the Kingdoms, Town, and Dominion aforesaid, which is like daily to encrease, if some further remedy be not provided, and further penalties imposed upon the Offenders therein;

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any person or persons shall from and after the first day of August, One thousand six hundred sixty and two, directly, or indirectly, export, transport, carry, or convey, or shall cause to be exported, transported, carried, or conveyed out of or from the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or after the first day of January, One thousand six hundred sixty and two, out of the Kingdom of Ireland, into any parts or places out of the Kingdoms, or Dominion aforesaid, or into the Kingdom of Scotland, any Sheep or Wool whatsoever, of the breed or growth of the Kingdoms or Dominion aforesaid, or any Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, or any Fullers-Earth, or Fulling-Clay whatsoever, or shall directly, or indirectly pack or load, or cause to be packed or loaden upon any Horse, Cart, or other Carriage, or shall load or lay on board, or cause to be loaden and laid on board in any Ship or other Vessel, in any place within the Kingdoms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed aforesaid, any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, or Fulling-Clay, to the intent or purpose to export, transport, carry, or convey the same, or to cause the same to be exported, transported, carried, or conveyed out of the Kingdoms of England or Ireland, the Dominion of Wales, or Town of Berwick upon Tweed aforesaid, into the Kingdom of Scotland, or into any Foreign parts, that then every such Offence shall be adjudged Felony, and the Offender or Offenders being duly convicted, shall suffer and forfeit as in case of Felony.

And be it further Enacted by the Authority aforesaid, that every Owner of any such Ship or other Vessel, and every Owner of every Horse, Cart, or Carriage, upon which any Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, or Fulling-Clay, shall be so exported, transported, carried or conveyed as aforesaid, or to any such intent or purpose as aforesaid, knowing thereof, and being wittingly and willingly aiding, assisting, or consenting thereunto, and also every Master and Mariner of or in such Ship or other Vessel, wherein any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, or Fulling-Clay, shall be so exported, transported, carried or conveyed, or loaden or laid on board as aforesaid, to any such intent or purpose as aforesaid, knowing thereof, and being wittingly and willingly aiding, assisting, or consenting thereunto, and also every Factor or Servant, or other person whatsoever, and every Customier, Comptroller, Waiter, Searcher, Surveyor, or other Officer or person whatsoever knowing thereof, and being wittingly or willingly aiding, assisting, or consenting thereunto, shall be, and shall be adjudged

Preamble.

Grievances.

If any one shall export any Sheep, or Wool.

Or any Wool-flocks, Fullers-Earth, &amp;c.

He shall be adjudged a Felon.

Forfeiture of all Ships, Carriages and Carriages carrying the Goods to export.

The abettors and aiders, and all Custom-Officers made Felons.

h

and



How the Of-  
fenders shall  
be tried.

Trial of a Ba-  
ron or Peer.

The Offender  
must be indi-  
cated within a  
year.

Fraud in pack-  
ing wools, &c.

None shall  
press any wool  
into Barrels  
with Engines.

With intent to  
transport it.

Under penalty  
of forfeiture.

No Tobacco-  
pipe Clay shall  
be exported.

Penalty.

and taken to be a Felon, and every Offender and Offenders therein, being duly convicted, shall suffer and forfeit as in case of Felony.

And be it further Enacted by the Authority aforesaid, That every offence, which shall be done or committed contrary to this Act, shall and may be enquired of, and heard, examined, tried, and determined in the County where such Sheep, Wool, Wool-fells, Worlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers Earth, or Fulling Clay respectively shall be so packed, laden, or laid on Board as aforesaid, or else in the County where such Offender shall happen to be apprehended or arrested for such offence in such manner and form, and to such effect to all intents and purposes, as if the same offence had been wholly done and committed in the same County.

Provided also, that every Baron and other Peer of this Realm, which shall be indicted or accused as principal, or accessory in or to any offence made Felony by this Act, shall have his, her, or their trial, by his, her, or their Peers, as in cases of Felony at Common Law.

Provided also, and be it Enacted by the Authority aforesaid, That no person or persons whatsoever shall at any time hereafter be impeached for any offence made Felony by this Act, unless such person or persons shall be thereof indicted within the space of one year next ensuing such offence committed.

And forasmuch as great quantities of Wool, Woollen Yarn, and Wool-flocks are close packed and pressed together with Scrues and other unlawful Engines into Butts, Pipes, Hogheads, Chests, and other Cask and Vessels, and into Sacks, Bags, and other Wrappers made of Wool, or Linnen, and under colour of Bales, Sacks, Bags, Packs, and Cask of other Goods, and otherwise great quantities of the same, are daily Loaden on Board of Ships, or other Vessels, and so are carryed, conveyed, exported, and transported out of the Kingdoms, Town of Berwick, and Dominion aforesaid, and also great quantities are daily carryed and laid at, or near the Coasts of the Sea, or some Navigable Rivers into Store-houses and Barns, and by night are laid on board of Shallops and other Vessels belonging to Aliens, and so carried and exported out of the Kingdoms, Town of Berwick, and Dominion aforesaid; Be it therefore Enacted by the Authority aforesaid, That from and after the said First day of August, no person or persons shall press together with any Scrues, Presses, or other Engines, into any Sack, Pack, Bag, or other wrapper, or shall put, press, pack, or stean any Wool whatsoever, or any Yarn made of wool, into any Butt, Pipe, Hoghead, Chest, or any other Cask or Vessel, upon any pretence whatsoever, or shall carry or lay, or cause to be carried or laid at or near the shoar, or Coasts of the Sea, or of any Navigable River, or into any House or place near adjoyning thereunto, any such wool, wool-flocks, or yarn made of wool, with intention to export, transport, carry, or convey the same out of the Kingdoms of England or Ireland, Town of Berwick upon Tweed, or Dominion of Wales into the Kingdom of Scotland, or into any Forraign parts, under the penalty of the loss and forfeiture of all such wool, wool-flocks, and yarn made of wool, as shall be so packed, or pressed, or put or laid into Cask, or carried or laid near to the Sea-shoar, or to any Navigable River as aforesaid, to the value thereof.

And whereas great quantities of Fullers Earth or Fulling Clay are daily carried and exported under the colour of Tobacco-pipe-clay, Be it therefore Enacted by the Authority aforesaid, That no Tobacco-pipe Clay shall from and after the First day of August, One thousand six hundred sixty and two be exported, transported, carried or conveyed out of, or from the Kingdom of England, Town of Berwick upon Tweed, or after the First day of January, One thousand six hundred sixty and two, out of, or from the Kingdom of Ireland, or the Dominion of Wales into the Kingdom of Scotland, or into any Forraign parts, or into any port or place out of the Kingdoms or Dominion aforesaid, under the penalty of Three shillings for every pound of Tobacco-pipe Clay which shall be exported or transported contrary to this Act.

And

And be it further Enacted by the Authority aforesaid, That from and after the first day of August, One thousand six hundred sixty and two, no Packs, Sacks, Bags, or Cask of any Wool, Wool-fels, Wortlings, Shorlings, Barn made of Wool, Wool-flocks, Fullers earth, Fulling Clay, or Tobacco-pipe Clay shall be laid or loaden on any Horse, Cart, or other Carriage whatsoever, or shall be carried or conveyed by land to or from any place or places within the Kingdom of England, Town of Berwick, or Dominion aforesaid, nor after the first day of January, One thousand six hundred sixty two in the Kingdom of Ireland, but in the day-time, and at seasonable hours, (that is to say) from and after the first day of March to the nine and twentieth day of September, yearly, between the hours of four of the Clock in the Morning and Eight of the Clock in the Evening, and from the nine and twentieth day of September, to the first day of March, yearly, between the hours of Seven of the Clock in the Morning, and five of the Clock in the Evening, under the penalty of the loss and forfeiture of all such Goods, or the value thereof; the one moiety of all which forfeitures mentioned in this Act to be to the use of the King, His Heirs and Successors, and the other moiety to him or them that will sue for the same by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which no Escoin, Protection, or Wager of Law shall be admitted or allowed.

No wool, nor wollen yarn, Fullers earth, Tobacco-pipe clay, &c. shall be conveyed at land but by day.

Under penalty of forfeiture.

Provided nevertheless, That this Act or any thing therein contained shall not extend to be construed to extend to repeal, disanul and make void any the Penalties, Clauses, or Provisoies mentioned in one Act of this present Session of Parliament, made against the transportation of Wool, Wool-fels, Fullers earth, or any kind of scouring earth, or to the prohibiting of the loading on Board of any Ship or Vessel, of any Weather-Sheep, wool, wool-flocks, or other goods, mentioned in this Act, that by the aforesaid Act is permitted to be loaden on board of any Ship or Vessel, for the necessary use or provision of such Ship or Vessel as aforesaid, Any thing in this Act contained to the contrary in any wise notwithstanding.

This shall not repeal a former Act.

Provided alwaies, That if any owner of any Ship or Vessel, or any Master or Mariner knowing of such transportation of such Sheep, wool, wool-fels, Wortlings, Shorlings, Barn made of wool, wool-flocks, Fullers earth, Fulling Clay, or Tobacco-pipe Clay, shall within three months next after the knowledge thereof, or after his return into the Kingdom of England or Ireland, or into the said Town of Berwick, or Dominion of Wales aforesaid, give the first information bona fide before any of the Barons of either of the Courts of the Exchequer in England or Ireland for the time being, or before the Head Officer of any Port where he shall first arrive, upon his, or their Oath of the number and quantity of the goods mentioned in this Act, so carried, conveyed, and transported, and by whom, where, and in what Ship or Vessel, and afterwards shall be ready upon reasonable warning by Process to justify and prove the same, That then such owner or Owners, Master, Mariner and Mariners shall not be punished for Felony by vertue of this Act, but shall nevertheless be subject to all other penalties and forfeitures in this or any other Act contained, for the offence aforesaid; and all such Exportation, Transportation, carrying or conveying of any the goods, wares, or commodities in this Act mentioned, is hereby declared and adjudged to be a common and publick Nuisance.

If any Master or Mariner after his return do first inform the Barons of Exchequer.

Exporting of any of the said wares is a common Nuisance.

And for the better execution of this Act, be it further Enacted, that all Justices of Assize, Justices of Goal Delivery, and Justices of Peace shall enquire of all the Premises in their General Quarter Sessions, and hear and determine the same; and that all Mayors, Bailiffs, and other Head Officers of Cities, Burroughs, and Towns, not having Jurisdiction to try Felony, shall enquire of all and every Offence within this Act not made Felony, and hear and determine the same.

Inquiry shall be made at the Sessions, and by all Mayors &c. of these offences.



## C A P. XIX.

An Act against Importing of Forreign Wool-cards, Card-wire, or Iron-wire.

Preamble.  
Cap. 14.

Grievance.

No forreign  
Wool-cards,  
Card-wire, or  
Iron-wire shall  
be imported.  
No wire out of  
old Cards put  
into new  
boards.

Penalties.

Action for  
them.

Not to extend  
to hinder  
mending the  
old Cards or  
exporting  
them.

**W**hereas by the Acts of Parliament made in the third year of King Edward the Fourth, and the nine and thirtieth year of Queen Elizabeth, and several other Statutes befoze that time made; It is Enacted ( amongst other things therein contained ) that no Cards for Wool, nor Iron thread (commonly called white Wire) shall be Imported, sent, or conveyed into this Realm of England, wherein the best Iron thread, or Wire for making Wool-cards is made, and by the said Manufacture of making, and drawing of Wire, and Wool-cards, very many poor people of this Kingdom and their Families have been imployed and maintained, and the Wool-cards made thereof are of great concernment to this Kingdom for the good making of woollen Cloth; And whereas contrary to the said Statutes not only much Forreign Card-wire, but also Forreign Wool-cards have been in these late times Imported into this Kingdom, and also within the same many old Wool-cards are by ill-disposed persons ( for their private lucre ) brought up, and the old Iron-wire of the said old Wool-cards ( being very weak, and insufficient for the well-Carding of Wool ) is put into new Leather, and new Boards, and so uttered and sold to Ignorant people for new Wool-cards, to their great detriment and the Indamaging of their wise, Carding of Wool, and the Cloth made thereof; By all which very great Inconveniencies have been found by experience of Cloathiers in their making of English Cloth, which is lately much debased and decayed, and wherein this Nation is greatly concerned to uphold and encourage the well making thereof in and by all waies and means in any wise conducibile thereunto; Be it therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons assembled in Parliament; And it is hereby Enacted by the Authority aforesaid, that no Forreign Wool-cards, or Forreign Card-wire, or Iron-wire, for making of Wool-cards be Imported into this Kingdom of England, Dominion of Wales, or any parts thereof, nor used within the same, nor any Card-wire taken out of old Cards be from henceforth put into new Leather, and new Card Boards, nor any such Wool-cards made thereof be put to sale, upon the pains, penalties, and forfeitures hereafter following ( that is to say ) Every person or persons who shall Import, or bring any Forreign Wool-cards, or Forreign Card-wire, or Iron-wire, for making of Wool-cards into this Kingdom of England, Dominion of Wales, or any parts thereof, or make any Wool-cards of any such old Card-wire, as aforesaid, or put the same to sale, shall forfeit the said Wool-cards, and Card-wire, or Iron-wire for making Wool-cards, or the value thereof, if the same be not seized, the one half part thereof to the Kings Majesty, and the other half part thereof to such person or persons, who shall first seize, or Sue for the same by Action of Debt, Plaint, Bill, Information, or Indictment in any of His Majesties Courts of Record at Westminster, or within the County, City, Borough, or Town Corporate where such Offence shall be committed, wherein no Essoin, Protection, Wager of Law, or Injunction shall be allowed or admitted.

Provided alwaies, That this Act shall not extend to hinder the Owners of any Wool-cards, to cause them to be amended for their own use, or to transport or sell ( for Transportation only ) any their old over-worn Wool-cards, into any parts beyond the Seas, out of His Majesties Dominions.

CAP.

## C A P. XX.

An Act for providing Carriage by Land, and by Water, for the use of His Majesties Navy and Ordnance.

**W**hereas by an Act Entituled, An Act for taking away the Court of Wards, and Liveries, and Tenures *in Capite*, and by Knights Service, and Purveyance, and for a setting a Revenue upon His Majesty in lieu thereof, It was amongst other things Enacted, for the reasons and recompence therein expressed, That from thenceforth no person or persons by any Warrant, Commission, or Authority under the Great Seal, or otherwise, by colour of buying, or making provision, or purveyance for His Majesty, or any Queen of England for the time being, or of any the Children of any King or Queen of England that shall be, or for his, their, or any of their Household, shall take any Cart, Carriage, or other thing whatsoever of any of the Subjects of His Majesty, His Heirs, or Successors, without the free and full consent of the Owner or Owners thereof, had, and obtained, without menace or enforcement, nor shall summon, warn, take, use, or require any of the said Subjects, to furnish, or find, any Horses, Oren, or other Cattle, Carts, Ploughs, Wapns, or other Carriages, for the use of His Majesty, His Heirs or Successors, or of any Queen of England, or of any Child, or Children of any the Kings, or Queens of England, for the time being, for the carrying the Goods of His Majesty, His Heirs, or Successors, or the said Queens, or Children, or any of them, without such full and free consent as aforesaid, Any Law, Statute, Custom, or Usage to the contrary notwithstanding; Be it notwithstanding Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Four and twentieth day of June, in the year of our Lord, One thousand six hundred sixty and two, as often as the Service of His Majesties Navy, or Ordnance, shall require any Carriages by Land within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, upon notice given in writing by Warrant under the Hand and Seal of the Lord High Admiral of England for the time being, or under the Hands and Seals of two, or more of the principal Officers or Commissioners of His Majesties Navy, or under the Hand and Seal of the Master of His Majesties Ordnance for the time being, or under the Hand and Seal of the Lieutenants of His Majesties Ordnance, for the providing of Carriages for the respective Service of the Navy or Ordnance, unto two or more Justices of the Peace dwelling near unto the place where the said Carriages shall be required, the said Justices of the Peace may, and shall immediately issue forth their Warrants to such of the adjacent Parishes, Hundreds, or Divisions, as they shall judge fit within their respective Counties and Divisions, not being above Twelve miles distant from the place of lading, for the sending to a certain place, and at certain times (to be specified and appointed in the said Warrants) such numbers of Carriages with Horses, or Oren sufficient for the said Service, as by the Lord High Admiral of England for the time being, or by the Master or Lieutenant of His Majesties Ordnance for the time being, or by the principal Officers or Commissioners of His Majesties Navy respectively as aforesaid, shall be by writing under their Hands and Seals required; the Owners of which Carriages, or their Servants shall receive for every Load of Timber, per mile, One Shilling, for every reputed mile which they shall go laden; and for other Provisions, the Sum of Eight pence per mile for every Tun they shall carry.

Recital of the Stat. of 11 Car. 2. cap. 24.

By which Purveyance for Carriages for the King his private use is taken away.

For carriages for the Navy and Ordnance Justices shall by their Warrant compel Carts and Horses.

The Rates for Carriages.

And



The Lord High  
Admiral or o-  
ther Officers,  
&c. may press  
Carriages by  
Water.

And be it further Enacted by the Authority aforesaid, That it may and shall be lawful for the Lord High Admiral of England for the time being, by Warrant under his Hand and Seal, and also for the principal Officers and Commissioners of His Majesties Navy, by Warrants under the Hands and Seals of any two or more of them, as also for the Master of His Majesties Ordnance for the time being, by Warrant under his Hand and Seal, and also for the Lieutenant of His Majesties Ordnance, by warrants under the Hands and Seals of either of them, as often as the Service of His Majesties Navy or Ordnance respectively, shall require any Carriage by water, to appoint such person or persons, as they shall judge fitting to impress, and take up such Ships, Hoves, Lighters, Boats, or any other Vessel whatsoever, as shall be necessary for the Accommodation of His Majesties said Service, the Owners of which said Ships, Hoves, Lighters, Boats, or other water Carriage aforesaid, or such as they shall appoint, shall receive for the Hire of every such Ship, Hove, Lighter, Boat, or other Vessel per Tun, according to the Rates usually paid by Merchants from time to time; And in case His Majesties Officers, and the Owners of such Ships, Hoves, Lighters, Boats, or other Vessels, shall not agree on the said Rates, then the Rate to be setled by the Brotherhood of Trinity-house of Deptford Strand.

The Rates for  
Water-Carri-  
ges.

Penalty for  
neglect to  
come with  
Land or Water  
Carriages.

And for neg-  
lect in the ser-  
vice.

Trial of Of-  
fences.

Forfeiture for  
such neglects.

How to be re-  
covered.

Ready pay-  
ment to the  
Owners of  
the Carriages.

And be it further Enacted by the Authority aforesaid, that in case any of His Majesties Subjects of this Realm shall refuse, or wilfully neglect, after reasonable notice, to make their appearance with such sufficient Carriages by Land, or to fit, provide and furnish their Ships, Hoves, Lighters, Boats, or other Vessels, for the Service of His Majesties Navy, or Ordnance, as is before expressed: or shall, after they shall have undertaken such service, neglect or delay the same, that then upon due proof and conviction of such refusal or neglect by the Oath of the Constable, or other Officer, or two other credible witnesses before the said Justices of Peace of the County, or Mayor, or other chief Officer of the City, or Corporation, where he or they inhabit (which Oath they shall have power to administer) for the Land-Carriages, and for the Water-Carriages, by the Oath of such person as shall be appointed by the Lord High Admiral, the principal Officers or Commissioners of His Majesties Navy, the Master of His Majesties Ordnance, or the Lieutenant of His Majesties Ordnance as aforesaid, or other two credible witnesses before the principal Officers or Commissioners of His Majesties Navy, or Master or Lieutenant of His Majesties Ordnance respectively, (which Oath they shall have likewise power to administer) the party so refusing, or neglecting, shall for every such refusal, or neglect, forfeit the sum of twenty shillings for the Land-Carriage, and for Carriage by Water, treble the freight of such Ship, or Vessel, not exceeding fifty pounds in the whole, to the Kings Majesties use, to be forthwith levied in default of payment upon demand, by distress and sale of his Goods and Chattels by Warrant from the said Justices of the Peace, Mayor, or other chief Officer, or from the principal Officers, or Commissioners of His Majesties Navy, or Master or Lieutenant of his Majesties Ordnance respectively, (rendering to the parties the overplus upon every such Sale) (if there shall be any) the charge of distraining being first deducted.

Provided alwaies, That no Horses, Oxen, Cart, Wain, or other Land-Carriage shall be enforced to travail more daies Journey from the place where they receive their lading, or be compelled to continue longer in the imployment, then shall be appointed by the Order of the said Justices of the Peace, and that ready payment shall be made in hand for the said Carriages at the place of lading without delay, according to the aforesaid Rates.

Provided

Provided alwaies, That in case any Justice of the Peace, Mayor, chief Officer, or Constable, or any person or persons, which shall be appointed by the Lord High Admiral, the principal Officers, or Commissioners of His Majesties Navy, Master of His Majesties Ordnance, or the Lieutenant of His Majesties Ordnance as aforesaid, respectively, shall take any gift or reward to spare any person or persons, from making such Carriage by Land, or by Water, or shall injuriously charge or grieve any person or persons through envy, hatred, or evil will, who ought not to make such carriage, or shall impells more carriages then the necessity of the service shall require, or then he shall be commanded to impells by his Superiours, that then upon due proof and conviction thereof, the party so offending, shall forfeit the sum of Ten pounds to the party thereby grieved, who may sue for the same to be recovered by Action of Debt, in any of His Majesties Courts of Record, wherein no Essoign, Protection, or Wager of Law, shall be allowed; And in case any person, or persons, shall presume to take upon him, or them, to impells any Horses, Oxen, Mares, or Carriages for Land, or any Ships, Barges, Lighters, Boats, or other Vessel, for the service of His Majesties Navy or Ordnance, other then the persons so empowered as aforesaid, then he, or they so offending, shall upon due conviction of the said Offence, incur and suffer the punishment in the first recited Act.

The penalty if any Justice take reward to spare any man from carrying by Land or Water.

Or shall press any of malice.

Or press more then necessary.

The penalty if any not so authorized press any Carriages.

Provided alwaies, and be it Enacted, That no Ship, Poy, Barque, or any other Vessel whatsoever, that shall be really, and bona fide, freighted by Charter-party, if there be other Vessels in the Port fitting for the Service, nor any Vessel quarter-laden with any Goods, Wares, or Merchandizes Outward bound; shall be liable to be Impressed for any the Services aforesaid, any thing in this Act to the contrary notwithstanding.

Certain Boats and Vessels excepted.

Provided, That this Act, and the powers therein contained, shall continue, and be in force, until the end of the first Session of the next Parliament, and no longer; Any thing herein contained to the contrary in any wise notwithstanding.

How long this Act continueth.

Provided nevertheless, That in regard of the more then ordinary charge and burden which the Inhabitants of the New-Forrest in the County of Southampton, will be liable unto, by reason of the great quantities of Timber usually felled, and carried thence for the use of His Majesties Navy, It shall and may be lawful for the Justices of the Peace, who shall by Warrant summon the Carts and Carriages within the division of the New-Forrest, in the County of Southampton aforesaid, to have power (as to the Carriage of Timber only) to allow as aforesaid, to the several Owners of such Carts and Carriages, not exceeding Four pence per mile, for so many miles as any Cart or Carriage so summoned, shall go empty to the place of its Lading; Any thing in this Act contained to the contrary in any wise notwithstanding.

Provision for Carts and Carriages in New-Forrest in Hampshire.



## C A P. XXI.

An Act for preventing the unnecessary charge of Sheriffs, and for ease in passing their Accompts.

Preamble.

Grievances.

Sheriffs shall keep Tables for none but their Retinue at the Assises.

Nor shall give the Judge or his Officers any Present or Gratuity.

Not to extend to London, Middlesex, Westmerland, nor to any Town or City.

Grievances to Sheriffs being charged with superannuated sums.

**V**hereas the Office of Sheriff, as well by reason of the great and unnecessary charges in the time of Assises, and other publick meetings, as by the tedious attendance and charge of Sheriffs in passing of their accompts in the Exchequer, hath of late years been very burthensome to the Sentry of this Your Realm, who in the late times of Tyranny and Oppression have been great Sufferers, and thereby much Impoverished in their Estates and Fortunes, For remedy whereof Your Majesties most Loyal Subjects, the Knights, Citizens and Burghesses assembled in Parliament, do most humbly beseech Your most Excellent Majesty, that it may be Declared and Enacted, And be it Declared and Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That no person or persons being duely sworn into the Office of Sheriff, for any County or Shire within this Your Majesties Realm, shall from and after the First day of February next ensuing, in the time of the Assises held for the said County or Shire during his, or their Sheriffalty, keep, or maintain, or cause to be kept or maintained one or more Table, or Tables, for receipt or entertainment of any person or persons resorting to the said Assises, other then those that shall be of his own Family or Retinue; nor shall make, or send in any Present to any Judge, or Judges of Assise for his, or their provision, nor give any Gratuity to his or their Officers or Servants, or any of them; And also that no Sheriff shall after the said First day of February, have more then Forty Men-servants with Liberries, attending upon him in the time of the said Assises, nor under the Number of Twenty Men-servants in any County whatsoever within the Kingdom of England, nor under the number of Twelve Men-servants in any County within the Dominion of Wales, upon pain that every Sheriff offending in any of the premises, contrary to the true meaning hereof, shall forfeit for every default the sum of two hundred pounds.

Provided, That nothing before in this Act contained, shall in any wise extend unto, or any waies concern the Sheriffs of the City of London and Middlesex, and the Sheriff of Westmerland, or either of them, or any of the Sheriffs of or belonging to any City and County, or Town and County within this Realm, but that the same Sheriff or Sheriffs shall, or may do as heretofore hath been used or accustomed within the said County of Middlesex, and Cities of London and Westminster, and such other Cities and Counties, or Towns and Counties aforesaid; Any thing herein before contained to the contrary in any wise notwithstanding.

And to the end that Sheriffs may for the time future be eased of the great charge and trouble which they heretofore have been put to in passing their Accounts in the Exchequer, occasioned, partly in regard that divers sums of money have stood charged upon them in gross without expressing from what persons, for what cause, or out of what Lands or Tenements the same are to be particularly levied, or out of what particulars the said sums in gross do arise (whereby it cometh to pass that the said Sheriffs do still stand charged in gross with divers sums of money, which were heretofore payable by Abbots, Priors, persons attainted, and such other persons, whose Estates have since come to the Crown, or are otherwise discharged or illeivable) and partly by the Accompt of Seizures or Forraign Accompt, and by the exaction of undue Fees of Sheriffs upon their apposal concerning the same;

For

For the preventing whereof, and for the future ease of Sheriffs in passing their Accompts, Be it Enacted and Declared, that from henceforth every Seizure for or concerning any Lands, Tenements, and Hereditaments now remaining charged in the Forraign accompt of any Sheriff or Sheriffs within the Kingdom of England for the year ended at Michaelmas, One thousand six hundred and sixty shall be from the said Forraign accompt charged particularly in the great Roll of the Erchequer, And that the several Remembrancers of the said Court, or their respective Deputies do in their respective Offices forthwith, and so from time to time for the future write, and make true and perfect Copies of all and every such other Seizure, and Inquisition as already are, or hereafter shall be certified into their respective Offices without certifying the Copy of the Writ, or Commission at large upon which such Seizure or Inquisition is, or shall be so taken or returned, mentioning only in brief the Date of the said Writ or Commission, and shall deliver the same Copies well and truly examined and attested under his or their Hands to the Engrosser of the said great Roll; And that all such of the said Seizures and Inquisitions as now are returned into any of their respective Offices shall be delivered before the first day of February next coming; And that all such other Seizures as shall hereafter be returned, or certified into their respective Offices, shall be delivered so examined and attested as aforesaid to the said Engrosser before the first day of the next Term, after the said Remembrancers shall have received the same, so as the same may be charged in the great Roll, to the end that the Process of the Court may from thence issue for levying the Issues, and profits thereof to the use of the Crown, unto which said Remembrancers or their Deputies shall be from time to time paid for every Sheet which they, or their respective Clerks shall so write and deliver, the sum of eight pence, the same to be paid unto them by the aforesaid respective Sheriffs, who shall be allowed the same by the Barons upon their respective Accompts out of the issues and profits arising out of the premises so seized, and no Sheriff or Sheriffs for this present Year, One thousand six hundred sixty and one, nor any Sheriff, or Sheriffs to be hereafter made, or appointed within this Kingdom of England, shall be charged in accompt to answer any illeivable Seizure, Farm, Rent, or Debt, or other Seizure, Farm, Rent, Debt, matter, or thing whatsoever which was not writ in process to him, or them to be levied; wherein the persons of whom, or the Lands or Tenements out of which, together with the cause for which the same shall be so levied, shall be plainly and particularly expressed, but shall be thereof wholly discharged without petition, plea, or other trouble, or charge whatsoever.

Remedy for those Grievances.

Remembrancers fees to be paid by Sheriffs, and allowed them in their Accompts.

Sheriffs shall not be answerable for any sums, but such which are directed what persons, and out of what Lands issuing.

And it is hereby further Enacted and Declared, that all Seizures heretofore made before the first Year of the Reign of the late King James of ever blessed memory, now remaining in the Accompts of the Sheriffs, and all Seizures and Debts which are pardoned shall be, and are hereby fully discharged, And that the same and every of them shall hereafter be left out of Sheriffs accompts without further Order, Plea, Petition, or other Charge to any Sheriff or Sheriffs whatsoever; And that no Process shall from henceforth be written forth to any Sheriff for the levying of the same, or any of them, nor for any other Rent, or Farm, which cannot be explained by setting forth the particulars thereof, or which hath been unanswered by the space of forty years last past, And that all other dead farms and Seizures, and all desperate, illeivable and unintelligible Debts shall be removed out of the Annual Roll and Sheriffs charge into the Crannual Roll, there to remain until by Commission they shall be revived and made answerable.

All Debts before *primo Jac.* which are pardoned, are discharged without Plea or Petition.

And also all dead and desperate Debts.

And to the end, that all new Debts arising and coming into the Erchequer for the future may be sent forth in Process within convenient time, Be it also Enacted and Declared, That the aforesaid several Remembrancers do forthwith inroll and certifie to the said Engrosser of the great Roll all such Debts as any Sheriff or Sheriffs of this Realm are, or hereafter shall be charged withal, either

New Debts shall be speedily put in Process.



And also all  
Fines, Amer-  
ciaments, &c.

Penalty of any  
Exchequer-  
Officer in-  
fringing this  
Act.

A Sheriff must  
have sufficient  
Lands in his  
County.

St. 21 Jac c. 5.  
Recited and  
Confirmed.

Sheriffs shall  
not be called  
in question for  
any account  
after four years  
after his Qui-  
etus.

Exchequer-  
Officers in-  
fringing this  
clause.

This Act ex-  
tends not to  
the accounts  
of Sheriffs of  
Wales, or the  
County-Pala-  
tines.  
The Kings and  
Lord Treasur-  
ers Remem-  
brancers exce-  
pted as to  
some particu-  
lars.

by vertue of their respective Returns made to the Barons of the said Exchequer upon his Majesties Writs of Fieri facias, Levari facias, Capias, or other Pro-  
cesses; and also of all Fines and Amerciaments which are or shall be set and im-  
posed by the Court of Exchequer upon any Sheriff or Sheriffs for his or their  
contempts or neglects (that is to say) That all and every such Debts, Fines,  
and Amerciaments as now are returned, set, or imposed in any of the said Of-  
fices shall be delivered as aforesaid, before the first day of February next en-  
suing: And all such Debts, Fines, and Amerciaments as shall hereafter be re-  
turned, set, or imposed in any of the respective Offices shall be also delivered by  
the first day of the next Term, after such Returns made, or such Fines or A-  
merciaments so set, or imposed, that so they may be all charged in the Sheriffs  
Accompts respectively, and comprehended within his or their Quietus est, upon  
pain that every Officer or Officers in the said Exchequer, who shall in any thing  
offend contrary to this present Act, shall forfeit the sum of Forty pounds for every  
such offence, whereof one moiety shall be to the King, his Heirs and Successors;  
and the other moiety to the party or parties who shall be thereby agrieved, to be  
recovered by Action of Debt, Bill, Plaint, or Information, in any of his Ma-  
jesties Courts at Westminster, wherein no Essoign, Protection, Priviledge, or  
Wager of Law shall be allowed or admitted.

And it is hereby further provided and Ordained, that no person shall be as-  
signed to be Sheriff of any County within this Realm, except such as have  
Lands within the same County sufficient to answer the King and his Peo-  
ple.

And whereas by an Act made in the One and twentieth year of the Reign of  
our late Sovereign Lord King James over England; It was provided, that  
whenever any Sheriff upon passing his Accompts should have his Quietus est,  
that he should be thereby absolutely discharged of all sums of Money by him  
levied and received, and pretended not to be accounted for within the said Ac-  
count, whereupon he had his Quietus est, unless such Sheriff should be called in  
question for such sums of Money so pretended to be levied, and not accom-  
pted for within Four years after the time of such Account, and Quietus est;  
which Act notwithstanding, divers Sheriffs and their Heirs, upon such pre-  
tences, have been molested and troubled many years after their Accompts and  
Quietus est, and have had Process sent out against them, contrary to the true  
intent and meaning of the said Act; It is hereby further provided and enacted,  
that when any Sheriff or Sheriffs within the Kingdom of England, or Do-  
minion of Wales, upon passing their Accompts, shall have their Quietus est, that  
then such Sheriff and Sheriffs, their Heirs, Executors and Administrators,  
Lands, Tenements, Goods and Chattels shall be thereby absolutely discharg-  
ed of all manner of sum or sums of money whatsoever by them levied and  
received, notwithstanding any such pretence that the same were not accounted  
for, or other pretence whatsoever, unless such Sheriff or Sheriffs shall be cal-  
led in question, and that Judgment shall be given against him or them for the  
same, within Four years next after such Account, or Quietus est; and that e-  
very Officer or Minister by whom, or by whose default any Writ or Process  
contrary to this Act shall be sent out, shall incur the like Forfeitures and Pe-  
nalties to be recovered and inflicted by such persons, and in such manner, as by  
the aforesaid Act is provided.

Provided alwaies, That this Act or any thing therein contained, shall not  
extend to the Counties of Chester, Lancaster, Durham, or the Counties  
in Wales, being County-Palatines, as to their manner of accounting; but  
that the Sheriffs therein shall account as formerly before the respective Audi-  
tors only, and not elsewhere.

Provided, That this Act or any thing therein contained shall not extend  
to enjoin his Majesties Remembrancer, or the Lord Treasurers Remem-  
brancer to transcribe and deliver to the Ingrosser of the great Roll, any  
Inquisitions, or Seisures, but such as have been formerly charged in the  
Forraign

Forraign Accompts of the Sheriffs; but for all Inquisitions upon Attainders, or other Forfeitures to the Crown, the same shall be put in charge as heretofore they have been, according to the constant usage and Decree of the Court of Exchequer: Nor shall this Act, or any thing therein contained, extend to exclude his Majesties said Remembrancer of, or from the writing forth Process for, or upon any his Majesties Debts, Duties, Outlawries, or other charge whatsoever, or Process of Levam facias, at the prosecution of any person or persons, to levy the Issues or Profits of any Lands or Tenements seized, or to be seized into the Kings hands, or Process of Venditioni exponas for Goods seized, or to be seized upon any Debt to his Majesty, his Heirs or Successors, or upon any Outlawry, or to alter, or change the Pleadings, or other Proceedings heretofore used and accustomed in the said Office upon any Pleadings, touching the said Debts, Duties, and Seizures, or any of them whatsoever; And that no Debt, Duty, Fine, Amerciament, or Seizure whatsoever, which shall be charged in the said great Roll of the Pipe upon any person whatsoever, by, or from any Record, Process, or Proceeding had, made, filed, or recorded in the Office of his Majesties Remembrancer of his Exchequer, nor any Process, or Proceeding thereupon, to be had or made, by vertue of this Act, shall be respited, stayed, mitigated, extenuated, compounded, or otherwise discharged, but by Order, Warrant, or Judgment, made, filed, or entered in the said Office of his Majesties Remembrancer, where the original of such Debt, Duty, or Charge, as aforesaid, is, and remaineth; And that in case any Process of Summons of the Pipe have been, or shall be awarded for, or upon any such Debt, Duty, Fine, Amerciament, or Seizure whatsoever, and the same Debt, Duty, Fine, Amerciament, or Seizure shall not, upon such Summons of the Pipe, be levied or answered unto his Majesty, That then the Clerk of the Pipe, or Engrosser of the Great Roll shall the next Terme after the return of such Summons, certifye the same in a Schedule, into the Office of his Majesties Remembrancer aforesaid, to the end that further Process may be from thence written forth, for the levying and answering thereof; And that this Act, or any thing therein contained shall not extend unto, nor be construed to be prejudicial to his Majesties Remembrancer in his Exchequer, in any just, ancient, and lawful Fees by him claimed, or belonging, or incident to his Office, and usually had and received by him or his Predecessors; Any thing in this Act contained to the contrary in any wise notwithstanding.

Summons of  
the Pipe.

This Act to continue to the end of the first Session of the next Parliament, and no longer.

#### C A P. XXII.

An Act for Preventing of Theft and Rapine upon the Northern Borders of England.

**V**hereas a great number of Lewd, Disorderly, and Lawless persons, being Thieves and Robbers, who are commonly called Hols-Croopers, have successively for many and sundry years last past, been bred, re- Preamble.  
sided in, and frequented the borders of the two respective Counties of Northumberland and Cumberland, and the next adjacent parts of Scotland, and they taking the opportunity of the large waste Grounds, heaths and Mosses, and the many intricate and dangerous Waies and By-paths in those parts, do usually, after the most notorious crimes committed by them, escape over from the one Kingdom into the other respectively, and so avoid the hand of Justice, in regard the Offences done and perpetrated in the one Kingdom, cannot be punished in the other;

And whereas since the time of the late unhappy distractions, such Offences and Offenders as aforesaid, have exceedingly more increased and abounded, and the several Inhabitants of the said respective Counties have been for  
Grievance.



divers years last past necessitated at their own free and voluntary charge to maintain several Parties of Horse for the necessary defence of their Persons, Families, and Goods, and to the end the aforesaid evil and pernicious members might be apprehended and brought to Judgment; And whereas the most part of the Inhabitants of the said Counties being more remote from the borders than other parts, and consequently not so much exposed to eminent dangers as others, are therefore unwilling to contribute their proportionable parts of the aforesaid Charge, and yet notwithstanding, it cannot probably or possibly be avoided, but that those Inhabitants of the respective Counties who hold themselves most secure, must certainly sustain much damage and detriment in their Goods and Estates, in case the aforesaid Horse-Troopers be not timely suppressed, but suffered to grow numerous, strong and potent, which they must needs do in case there be no restraint upon them; Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority thereof, that from, and after the Feast of St. Michael the Arch-Angel, which shall be in the year of our Lord, One thousand six hundred sixty and two, for, and during the term of five years, next ensuing the date of this present Act, it shall and may be lawful for the respective Justices of Peace of the said respective Counties, or the major part of them at any General Sessions of the Peace to be holden for the said Counties respectively on the behalf of the said Counties, or either of them from time to time, as they shall see occasion, to make an Order in open Court of Sessions for charging, according to their several Proportions, all, and every the several Inhabitants of the said respective Counties for the safeguard and securing of the said several Counties and Inhabitants thereof from all injury, violence, spoil, and rapine of the Horse-Troopers aforesaid.

Justices impow-  
ered at Ge-  
neral Sessions  
to set a Tax for  
the safeguard  
of the Coun-  
ty.

To what Sum  
the Tax shall  
amount.

Justices may  
employ Armed  
men to appre-  
hend Thieves.

How the Tax-  
es shall be Le-  
vied.

Justices may  
examine com-  
plaints against  
Collectors.

Provided, that the said County of Northumberland be not by force of this Act at any time charged above the sum of five hundred pounds in the year; nor the said County of Cumberland charged above the sum of Two hundred pounds in the year: And for this end and purpose, the said several Justices of Peace of the respective Counties aforesaid, are hereby impowred and authorized at any their General Quarter Sessions aforesaid, to appoint and employ from time to time, if occasion require, any person or persons to have the Conduct, and Command of a certain number of men, not exceeding the number of Thirty men in the County of Northumberland, and Twelve in the County of Cumberland, whereby the Malefactors aforesaid may be searched out, discovered, pursued, apprehended, and brought to trial of the Law. And all and every the said Justices of Peace of the respective Counties aforesaid, or the major part of them at any General Sessions of the Peace to be holden for the said Counties, or either of them respectively, are hereby further impowred and authorized by force of this present Act, to make, and issue forth their respective Warrants under their hands for the levying and collecting any sum or sums of money ordered to be paid for, and towards the safeguard and securing of the said Counties respectively, as aforesaid; and to give full power to the several Constables, and other Officers, to raise, levy, and collect the said money, and all, and every the Inhabitants of the said several Counties, according to their respective proportionable Estates in Lands or Goods, by distress and sale of Goods, rendering the overplus, if there be any, to the respective owner or owners: And the said Justices of Peace in the said several Counties, or any one of them respectively, are hereby also authorized to examine any complaint made against the Collectors and Constables, or any other Officers, or Ministers of Justice whatsoever, or any of them, or any other refractory person or persons whatsoever, that at any time hereafter shall refuse, neglect, or fail to give obedience to this Act, or shall do any act or acts in disturbance, or obstruction thereof, and to bind over such person or persons to the next Quarter Sessions, according to the known Laws of the Land; to the end such person or persons may be proceeded withal according to Justice.

And

And the said respective Justices of Peace, as aforesaid, are hereby further Impowred and Authorized, on behalf of the said several Counties respectively, to appoint a Treasurer to receive from the said Collectors, the Moneys by them collected, and to pay over the same according to the Orders they shall receive from the said Justices at the General Sessions of the Peace to be holden for the said respective Counties: And the said Justices are also impowred to agree and article with such person or persons yearly, as they shall think fit to employ in the said Service, and to take sufficient Security of them for the faithful and most effectual performance thereof, for the best safeguard, advantage and benefit of the people, according to the true intent and meaning of this Act.

And to appoint a Treasurer.

And to agree with persons to suppress Malefactors.

And in case any person or persons shall in pursuance of this Act be employed in the Border-Service, and shall at any time hereafter wilfully and corruptly, or for any sinister respect whatsoever, neglect or forbear to Discover or Apprehend, or to bring to Trial, any of the said persons called Mobs-Troopers as aforesaid, and shall be Convicted thereof according to Law, he or they shall from thenceforth be disabled, and made incapable for ever after to manage or take upon him or them the said Imployment, and to suffer such Fine and Imprisonment, according to the quality of his or their offence, as the Justices of Peace at their General Sessions shall think fit to inflict.

Punishment of persons negligent in their duty.

Provided nevertheless, and be it hereby declared, That it shall be lawful for the Justices of Peace of either of the said Counties as aforesaid respectively, at any time hereafter, to moderate or lessen the said charge, if they see cause.

The Justices may moderate the charges.

Provided, That this Act shall continue and be in force for five years, and no longer.

Provided alwaies, and be it further Enacted by Authority aforesaid, That for better suppression and punishment of the said Mobs-Troopers flying out of England into Scotland, or out of Scotland into England, the Statutes made in the several Sessions of Parliament, in the fourth and seventh years of King James, shall be revived and put in execution according to their true intent. 18. Car. 2. cap. 3. continued and enlarged.

The former Statutes for this purpose revived.

### C A P. XXIII.

An Additional Act concerning matters of Assurance used amongst Merchants.

**W**hereas by an Act of Parliament made in the three and fortieth year of the Reign of Queen Elizabeth of happy memory, Entituled, An Act concerning matters of Assurances used amongst Merchants: The Parliament then taking into consideration, by all good means to comfort and encourage the Merchants of this Kingdom, thereby to advance and increase the Wealth of this Realm, her Majesties Customs, and the strength of Shipping, and for preventing of divers mischiefs in the said Act mentioned; It was Enacted, That it should and might be lawful for the Lord Chancellor, or Lord Keeper of the Great Seal of England, for the time being, to award forth under the great Seal of England, one general or standing Commission to be renewed yearly at the least, and otherwise so often, as unto the Lord Chancellor, or Lord Keeper should seem meet, for the hearing and determining of Causes arising on Policies of Assurance, such as then were, or then after should be entred within the Office of Assurance of the City of London; which Commissions should be directed to the Judge of the Admiralty for the time being, the Recorder of London for the time being, two Doctors of the Civil Law, two Common Lawyers, and eight grave or discreet Merchants, or any five of them, which Commissioners, or the greater part of them which should sit and meet, should have full Power and Authority to hear, Examine, Order, and Decree all and every such Cause and Causes, in a brief and summary course without formalities of pleadings or proceedings, with power to warn parties to come before them, and



and to examine upon Oath any Witnesses that should be produced, and to commit to prison any person, that should wilfully disobey their final Orders and Decrees; And the Commissioners to sit once weekly upon the Execution of the said Commission, with a liberty in the said Act for any person grieved by any such Sentence or Decree, to exhibite his Bill in Chancery for the re-examination of such Sentence, or Decree, as by the said Act, relation being thereunto had, more at large may appear: But forasmuch as by the said recited Act, without five Commissioners there cannot be a Court, and without there be a Court, they cannot proceed in the Execution of their Commission, so much as to Summon Parties or Witnesses to appear; And in case of neglect or refusal of any Party or Witness to appear, they have no power to punish the delay or contempt with Costs, or otherwise; And it is provided by the said Act, that not any Commissioner, other then the Judge of the Admiralty, or the Recorder of London, shall proceed in the Execution of such Commission, before he hath taken his Oath before the Lord Mayor, and Court of Aldermen, to proceed uprightly and indifferently between party and party, which upon the renewing of the said Commissions, often proves a great delay, there being so many Commissioners to be sworn, and the Court of Aldermen not sitting at some times in the year, when the said Commissions have hapned to be renewed; And although the said Commissioners upon their final Sentence, have power to commit to prison any person that shall wilfully disobey their said Sentences, or Decrees, yet they have no power to make any Order against the Ship or Goods, which commonly are the things assured, by which Commissions, or want of Power, given by the said Act, the benefits intended by the said Act of Parliament are much retarded, and the mischiefs by the Act endeavoured to be prevented, much increased.

Grievance.

Three Commissioners sworn before the Lord Mayor only may judge causes of Insurance,

Quorum.

For remedy whereof, Be it Enacted and Ordained, And it is hereby Enacted and Ordained by the Kings most Excellent Majesty, and by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled; That from and after the four and twentieth day of June, which shall be in the year of our Lord, One thousand six hundred sixty and two, it shall and may be lawful, to and for the Lord Chancellor, or Lord Keeper of the Great Seal of England, for the time being, to issue out yearly (or oftner if need require) one standing Commission under the Great Seal of England, thereby empowering and authorizing the said Commissioners, or any three of them (whereof a Doctor of the Civil Law, or a Barrister at Law of five years standing at the least, to be alwaies one) to meet and sit, and make a Court, and proceed in all things in the Execution of the said Commission, as before by the said Act any five might have done; And that the said Commissioners, or any such three of them as aforesaid, be and hereby are empowered to Summon Parties and Witnesses to appear, and in case of contempt or wilful delay in the Witnesses, upon the first Summons and tender of reasonable Charges, and in the Parties upon their second Summons, to punish the Offenders by Imprisonment or Costs for such time, and in such manner, as shall be reasonable, and according to the nature and quality of their Offences; And that it shall and may be lawful to and for every such Commissioner, to proceed in the Execution of the said Commission, having first taken an Oath before the Lord Mayor of the City of London for the time being only, to proceed uprightly, and indifferently between party and party; And the said Lord Mayor is hereby authorized to give such Oath, Any thing in the said Act to the contrary notwithstanding; And that no person shall proceed in Execution of the said Commission, before he be first Sworn before the Lord Mayor of London for the time being, to proceed uprightly, and indifferently between party and party, as formerly he should have been before the Lord Mayor, and Court of Aldermen.

Examination of witnesses in remote parts.

Be it also Enacted by the Authority aforesaid, That in case the said Commissioners, or any such three of them as aforesaid, shall find cause to examine  
Witness.

Witnesses beyond the Seas, or any remote parts of his Majesties Dominions, for the clearing of any doubt or matter before them depending, that in such case by direction of the said Commissioners, or any such three of them, like Commissions or Process shall issue out of the Court of Admiralty, as have formerly been for the purposes aforesaid, returnable before the said Commissioners; And that the said Commissioners, or any such three of them shall have also power to give and pass their final Sentence, Decree, and Executions, as well against the body of the party evicted, or his goods, as also against the Executors and Administrators of such party so evicted; And to Assess Costs of Suit upon such person or persons, as shall be condemned by the Decree of the said Court as to them shall seem Just.

Judgment and Execution.

And forasmuch as many Witnesses (as Seamen and others) come and speedily go again to Sea, before a Court can be summoned, by which means the Assured, and Assurers, are many times much damaged; For the preventing of which mischief, Be it also Enacted by the authority aforesaid, that it shall & may be lawful, to and for any one of the said Commissioners to administer an Oath to any Witness legally summoned to give testimony, (timely notice being thereof given to the Adverse party, and set up in the Office before such examination) to the end such Witness or Witnesses may be cross-examined.

Witness examined privately.

Provided always, That the said Commissioners shall in no case proceed both against person and goods, for one and the same debt; And provided also, that any thing in this Act contained shall not in any wise extend to prejudice the appeal to the High Court of Chancery, given or allowed in the said former Act of Parliament.

Execution shall not be both against body and goods.

## C A P. XXIV.

An Act declaratory concerning Bankrupts.

**V**hereas divers Noblemen, Gentlemen, and persons of quality, now waies bred up to Trade or Merchandise, do oftentimes put in great stocks of money into the East-India Company, or Guiney Company, and the Fishing Trade, and such other publick Societies, and receive the proceeds of those Stocks sometimes in ready moneys, sometimes in Commodities, which they usually sell for money, or exchange again, by which means the Trade of those Companies is much encouraged, Fishing, and Navigation increased, and the publick good of the whole Kingdom very much advanced.

Preamble.

Notwithstanding which great advantages to the publick, there hath been lately some opinion conceived that such persons may, and ought to be made subject to the Statutes provided against Bankrupts;

For the better declaring and explaining the Law therein, and to the end such persons may not be discouraged in those Honourable endeavours for promoting publick undertakings: Be it declared and Enacted by the Kings most Excellent Majesty, with the advice and assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, That no person or persons whatsoever, who have adventured, or put in, or who hereafter shall adventure, or put in any sum or sums of money, into the said East India Company, or Guiney Company, or into any joynt stock, or stocks of money by them or either of them, made, or raised, or to be made and raised, for and towards the maintaining, and carrying on the Trade by the said East-India Company, or Guiney Company, managed, or to be managed, or who have formerly, or shall hereafter adventure, or put in any sum or sums of money into any stock, or stocks of money, for the managing, and carrying on of the said fishing trade, or the trade now called the Royal fishing trade, and shall receive and take his or their part, or dividend of Fish, Goods, or Merchandizes in specie, and shall sell, or exchange the same, shall for or by reason only of such adventure of moneys so put into the said East-India Company, or Guiney Company,

None shall be within the Statutes of Bankrupts by reason only of putting in money into the stock of East-India, or Guiney Companies, or by selling the wares allotted for their shares.



Company, or into any Stock or Stocks, for and towards the said Fishing Trade, or for, or by reason only of the receiving, and taking such Fish, Goods, and Merchandizes in Specie, or selling for money, or exchanging the same again, be Adjudged, Taken, Esteemed, or Reputed a Merchant or Trader within any Statute, or Statutes, for Bankrupts, or be lyable to the same.

Persons trading otherwise, within the Statutes of Bankrupts.

Provided alwaies, and it is hereby Declared, That every person or persons, who shall Trade, Traffique, or Merchandize in any other way or manner, then in the said Royal Fishing Trade, or the Trade managed by the said East-India Company, or the Guiney Company as aforesaid, shall for and by reason of his and their Trading, Traffiquing, and Merchandizing, be lyable to Commission, and Commissions against Bankrupts, as fully to all intents and purposes, and not otherwise, as if this Act had never been made; Any thing in this Act to the contrary notwithstanding.

A Judgment before this Act, and within the remedy given hereby, reversed Sir John Wolstenholme.

And be it further Enacted, That a Verdict and Judgment in Replevin heretofore had, or given in the Term of Easter, in the Year One thousand six hundred fifty three, in the Kings Bench, betwixt Phineas Andrews Plaintiff, Richard Woolward, and William Meggs Defendants, whereby Sir John Wolstenholme Knight, an Adventurer in the said East-India Company, was Adjudged, and found lyable to a Commission of Bankrupts only, for and by reason of a share he had in the Joynt Stock of the said Company, and a pretended selling for money part of the return which he had in Specie for his said Adventure, shall be, and is hereby declared contrary to Law, and is hereby reversed, and made void and null.

Yet all moneys actually paid shall not be repaid to Sir John Wolstenholme.

Provided alwaies, and be it Enacted, that no Act, Sale, or disposition of any the Lands, Tenements, Hereditaments, Goods, Chattels, Debts, or Credits of the said Sir John Wolstenholme, or any distribution of the same, or of any money heretofore made or done by the Commissioners of Bankrupts, or any claiming under them, or any of them by vertue or colour of any Commission or Commissions taken out against the said Sir John Wolstenholme; and whereof any person or persons is by vertue or colour of, or under any such Act, Sale, or disposition actually seized, or possessed, shall be hereby impeached, or frustrated, but that the same be enjoyed for and toward satisfaction of the Debts, for which the same have been disposed, or distributed.

#### C A P. XXV.

An Act for the restoring of all such Advowsons, Rectories, Improprate Gleeb-Lands, and Tithes to His Majesties Loyal Subjects, as were taken from them, and making void certain charges imposed on them, upon their Compositions for Delinquency, by the late Usurped Powers.

Preamble.

Whereas many Loyal Subjects of our late Sovereign Lord King Charles the First, and of the Kings Majesty that now is, were upon pretence of Delinquency for adhering unto, and faithfully serving their said Majesties according to their Duty and Allegiance, enforced and constrained by the pretended power of the Long Parliament, not only to part with great sums of money in satisfaction of the said supposed Delinquency, but likewise to settle all, or part of such Advowsons, Rectories, Gleeb-Lands, and Tithes, Estates, and Terms, as they or any in trust for them were then seized, or possessed of, and to make grants and assurances of Rents and Annuities to and upon such Trustees as were appointed by the said Long Parliament, as well for the augmentation of certain Vicarages, as for the use and maintenance of Preaching Ministers and Lecturers, without any valuable consideration given for the same, other then some abatement of those excessive Fines imposed upon them for their pretended Delinquency, and exacted from them by those Arbitrary powers, to the impoverishing and undoing of many of the Kings most Loyal Subjects; Be it therefore

therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That all Grants, Feoffments, Bargains, and Sales, Releases, Confirmations, and other Conveyances, and Assurances in the Law, of any higher or lower nature whatsoever had, or made by any such pretended Delinquents, their Heirs, Executors, or Administrators, or by any person having any Estate or Interest in Law, or Equity in trust for them, or by any other person or persons, having any Estate, or Interest jointly, or in Common with them, or in Reversion or Remainder after them, to any person or persons, Bodies Politick or Corporate of any such Advowsons, Rectories Improprate, Gleeb-Lands, Tithes, Estates, Termes, Annuities, and Rents as aforesaid to, or for the uses aforesaid, as part or in full of their Compositions for such pretended Delinquency as aforesaid, and all Securities touching, or concerning the same only be and are hereby adjudged from henceforth null, and void in Law to all intents and purposes whatsoever, Saving to all persons, other then the said Trustees, and their Heirs, and all claiming under them all right to the said Rectories, and Premises as hath accrued unto them before the nineteenth day of May, One thousand six hundred sixty and two.

All Estates made by the pretended delinquents made void.

And be it further Enacted by the Authority aforesaid, That all Tenants, Lessees, and Occupiers of all such Advowsons, Rectories Improprate, Gleeb-Lands, Tithes, and Premises so granted, or settled, to or upon such Trustees as aforesaid, for the uses or purposes aforesaid, shall pay all such Rents as shall hereafter grow due and payable to such persons only unto whom the right, and interest of, and in the same Advowsons, Rectories, Gleeb-Lands, Tithes, and Premises before the said Conveyances, or Assurances (intended to be annulled, and made void by this present Act) did, or should of right belong or appertain.

Tenants shall pay their rents to the party who had the ancient right.

And whereas the said Conveyances and Assurances in and by this Act intended to be made void, were some of them of Estates in Fee Simple, and some of them long terms for years made to Trustees, who redemised the same at and under such yearly Rents and sums of Money as were then appointed to be the Augmentation of certain Vicarages, or maintenance for preaching Ministers, since which time many of the Rectories and Lands so Conveyed and Leased have been absolutely sold, and the Redemises thereof granted and assigned by the Owners thereof, for the benefit of such purchasers, Be it further Enacted and Ordained by this present Parliament, and by the Authority of the same, that the said Purchasers, their Heirs and Assigns shall pay, and the said former Owners of the said Lands and Rectories, their Executors, Administrators and Assigns shall have, hold, and enjoy the said Rents, and sums of money so reserved (for the Augmentation of the said Vicarages, and maintenance for Preaching Ministers) upon the said several Redemises, and shall have the same, and the like remedies by Distress, or by Action of Debt for the recovery thereof, as the said Trustees who Redemised the same should, or might have had, if this Act had not been made.

Rents formerly granted for augmentation of Vicarages, &c. restored to the right owners.



## C A P. XXVI.

An Act for reforming of Abuses committed in the Weight and false Packing of Butter.

Preamble.

**F**Orasmuch as Butter is one of the principal Commodities of the product of this Kingdom, and is not only of an universal use and Expence at home, but very great quantities thereof are transported beyond the Seas; And whereas by Custom time out of mind used, every Kilderkin of Butter ought to weigh One hundred thirty and two pounds gross at the least, that is to say, One hundred and twelve pounds of Neat Butter, and the Cask Twenty pounds; The Firkin of Butter ought to weigh Sixty and four pounds, viz. Fifty and six pounds of good and Merchantable Butter Neat, and the Cask Eight pounds; And the Pot of Butter ought to weigh Twenty pounds, viz. Fourteen pounds of good and Merchantable Butter Neat, and the Pot Six pounds: And whereas great Complaint hath been made by the Traders in Butter and Cheese, That by the fraudulent dealing and practice of several Farmers, Owners, and Packers of Butter, and by their irregular manner of weighing with Stones, Iron Wedges, Bricks, and other unwarrantable Weights, the same quantities of Butter are not put up into the respective Cask and Pots aforesaid, and the Kilderkin is commonly made to weigh Six and Twenty pounds, and sometimes eight and twenty pounds, and the Firkin to weigh ten pounds, or twelve pounds, and sometimes thirteen or fourteen pounds weight, and the Pots are made generally to weigh seven pounds, and some of them eight pounds or nine pounds weight, and much bad and decayed Butter is mixed and Packed up into Kilderkins, Firkins, and other Cask, and Pots, with sound and good Butter, and the immoderate quantities of Salt intermixed to spoile the same, and to the great wrong and abuse of his Majesty in the Victualling of his Navy, of Merchants in the Victualling of their Ships, and of all Traders in the said Commodity, and of all Householders who buy the same for their expence, and to the great dishonour of the English Nation in the parts beyond the Seas, and to the bringing of the said Commodity into great disrepute abroad, whereby it yields not that price, nor is vented there, in such quantities, as otherwise it would.

Grievances.

What weight  
Butter vessels  
shall hold.

For remedy whereof, Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, That from and after the first day of June, which shall be in the Year of our Lord, One thousand six hundred sixty and two, every Kilderkin of Butter do and shall contain One hundred and twelve pounds Neat, or above; every pound containing sixteen Dunces besides the Tar of the Cask, and not less, of good and merchantable Butter: every Firkin of Butter do and shall contain fifty six pounds Neat or above, besides the weight of the Cask, of good and merchantable Butter: and every Pot of Butter do and shall contain fourteen pounds Neat, or above, besides the weight of the Pot, of good and merchantable Butter: And that no Butter which is Old or Corrupt shall be mixed or packed up into any Kilderkin, Firkin, or other Cask, Vessel or Pot whatsoever with any Butter which is New and Sound, nor any Whay-Butter shall be packed or mixed with any Butter that is made of Cream, but that the said respective sorts of Butter shall be packed up severally and apart by themselves, and shall not be mixed one with another, and that every Cask or Pot of Butter shall be of one sort and goodness throughout such Cask and Pot, and that no Butter shall be salted with any great Salt, but that all Butter shall be salted and flavored with small Salt, nor more Salt shall be intermixed with it, then shall be needful for its preservation, upon pain and penalty that every

No old or corrupt butter mixed with good butter. Nor any whay butter with Cream butter; Every vessel to be of one sort. And shall be salted with small salt, nor have more salt then necessary.

every Owner, Farmer, or Packer of Butter not putting up in each Kilderkin, Firkin and Pot of Butter to be sold, or to be exposed to sale respectively, such quantities as aforesaid, or offending in false packing as aforesaid, for every such offence shall forfeit the value of all the Butter so false packed, and for every offence where any Kilderkin, Firkin or Pot shall be found to contain a lesser quantity of Butter, then by this Act is appointed, six times the value of every pound of butter, that shall be wanting in any such Cask or Pot. Penalty;

And to the intent that the benefit intended by this Act may be extended with full effect to all persons, who do either cut out butter by a Retail, or expend it, Be it further Enacted by the Authority aforesaid, That every Cheesemonger or other person whatsoever which shall sell to any person or persons any Kilderkin or Kilderkins, Firkin or Firkins, Pot or Pots, or other Cask of butter made after the said first day of June, which shall be in the Year of our Lord, One thousand six hundred sixty and two, shall deliver in every such Kilderkin, Firkin, and other Cask and Pot respectively the full quantity and due quality appointed by this Act, and not less, or in default thereof shall be liable to make satisfaction to him or them that buy the same for what shall be wanting, according to the price for which the same was sold. Cheesemongers and Retailers of butter within this Act.

And be it further Enacted by the Authority aforesaid, That from and after the said first day of June, which shall be in the Year of our Lord, One thousand six hundred sixty and two, no Cheesemonger or other person or persons whatsoever, shall repack for sale any butter in any Kilderkin, Firkin, or other Cask or Pot whatsoever, upon pain and penalty that every Cheesemonger or other person whatsoever which shall repack any butter into any Kilderkin or Kilderkins, Firkin or Firkins, Cask or Casks, Pot or Pots, to sell the same again, shall for every Firkin, Cask, or Pot so packed, forfeit the sum of double the value of all such butter. No Cheesemonger, &c. shall repack any butter.

And for the better discovery of all frauds and abuses which shall be committed against this Act, Be it further Enacted by the Authority aforesaid, That every Farmer and other person and persons packing up Butter in Kilderkins, Firkins, or any other Cask whatsoever for sale, do from and after the said first day of June, which shall be in the Year of our Lord, One thousand six hundred sixty and two, pack up his butter into good and sufficient Cask, made of sound, dry, and well-seasoned Timber, and shall set upon every Firkin and Cask whatsoever, when the same is thoroughly and fully seasoned in water, a continuing visible mark of the just Weight of the empty Cask, and do likewise set upon every Kilderkin, Firkin, and Cask, when the same is filled with butter, the first Letter of his or their Christian name, and his or their Surname at length, with an Iron brand, upon pain and penalty that every Farmer or other person or persons whatsoever offending in not putting on the Mark of such Weight of Kilderkin, Firkin, or Cask, after seasoning, or not setting the first Letter of his or their Christian name, and his or their Surname at length, on every Firkin or Cask as aforesaid, shall for every such offence respectively forfeit the sum of ten shillings for every hundred weight of butter, and so proportionably for a greater or a lesser quantity that shall be in every such Cask. The sellers and packers of butter shall pack it in good Cask, and set his name on it, and the weight of the Cask and butter.

And be it further Enacted by the Authority aforesaid, That every Potter shall set upon every Pot which he shall sell for packing up of butter, the just weight which shall be of every such Pot when it is burnt, together with the first Letter of his or their Christian Name, and his or their Surname at length, upon pain and penalty that every Potter which shall not so do, shall forfeit and pay for every Pot which he shall expose to sale for the use aforesaid, whereupon he shall not have set the just Weight, and the first Letter of his Christian name, and his Surname at length as aforesaid, the sum of one shilling; and that no Farmer or other person whatsoever shall expose to sale any butter packed up in any other Pot then such as shall be marked by the Potter as aforesaid, upon penalty of two shillings for every pot of Butter Potters shall set on Pots the weight of them, and their names.



When and  
where suit  
shall be for the  
forfeiture.

which he shall expose to sale as is not so marked; all and every of which said offences are to be enquired of, sued for, heard and determined in the Sessions of Peace for the County, City, Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty wherein such offence shall be committed, by Action of Debt, Indictment, Information, or Presentment, wherein no Essoin, Protection, or Wager of Law shall be allowed to the Defendant, and the one half of all such forfeitures shall be to the use of the poor people inhabiting within the Parish where such offence shall be from time to time committed, to be paid to the Churchwardens and Overseers of the Poor of and in such Parish, and the other half to him or them that will sue for the same, besides his double Costs thereby expended.

Provided, that every Suit and Information which shall be brought upon this Act, shall be commenced within four moneths after the sale of such Butter.

## C A P. XXVII.

An Act for repairing of *Dover* Harbour.

Preamble.

**W**hereas it is found by long experience that *Dover* Harbour is and hath been of very great use and benefit to the Merchants of this Realm, and others passing through the Narrow Seas, whereunto they have, and do enter to avoid imminent danger of Tempests, Pirates, or the Common Enemy in time of War, and whereas the said Harbour of late by Tempests, and the violence of the Sea hath been much broken, ruined, and decayed, and in great danger of being lost, unless timely prevented by repairing thereof, which cannot be without great charges and expences, as well in the present repair, as in the future maintenance of the same: whereof his Majesty being Informed, and minding the good and safety of Merchants and Sea-faring men, hath of late of his Majesties goodness and liberality, bestowed a great sum of money in, and about the repairing of the said Harbour, which yet is not sufficient to carry on that work, and to secure it for the future.

And to the end that the same may be from time to time maintained and kept in good repair for the use and benefit of Merchants, and Sea-faring men; And that such provision for the maintenance thereof may now be made, as by an Act of Parliament made in the first year of His Majesties Grandfather King James of ever blessed memory, hath been formerly done and provided for: Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from and after the four and twentieth day of June next ensuing, during the space of Seven years thence next following, there shall be paid by the Master, or Owner of every Ship, Vessel, or Trayer, whereof any of his Majesties Subjects of England shall be Owners, or Part-owners of the burthen of Twenty Tuns or upwards, and not exceeding the burthen of two hundred and fifty Tun, for every Voyage, Loading, or discharging within this Realm, or to, or from any Forraign Country beyond the Seas, and passing to, or from London, or for, from, to, or by *Dover*, or comming into the Harbour there, not having a Cocquet testifying his payment before for that Voyage towards the repair of *Dover* Harbour the sum of Three pence for every Tun of the burthen of every such Ship, Vessel, or Trayer (except Vessels laden with Sea-coals, or Grindstones, or Purbeck, or Portland stone) and for every Chauldron of Sea-coals, or Tun of Grind-stones, Penny half-penny, the same to be paid to the Customer, or Collector of Customs, or Subsidies, or their Deputies within this Realm, in such Port, from whence such Ship, Vessel or Trayer shall set forth, or where such Ship, Vessel, or Trayer shall arrive, before they load

A toll or pay-  
ment for seven  
years paid by  
certain ships  
to repair this  
Harbour.

To be received  
by a Custo-  
mer.

or

or unload the Goods therein, The Accompt of the number of the said number of the said Tuns to be made according to the Entry of Goods in every such Ship, Vessel, or Crayer in the Custom-house, and no Entry thereof to be allowed in any Office of Customs or Subsidies without true Information before made by Oath of the Master, Owners, or Shipper of such Ship, Vessel, or Crayer concerning the burthen thereof, and payment by him made of the sums aforesaid, of which payment the Master, Owner, or Shipper paying the same shall have allowance of the Merchants, according to the rate of the Goods in the same Ship, Vessel, or Crayer by way of Average; And the Customer or Collector, or his Deputy receiving the sums aforesaid, or any of them shall distribute and pay the same from time to time to the Treasurer of the said Harbour for the time being, or such person or persons as he shall assign to receive the same to be expended in, and about the repair of the said Harbour; And every Customer or Comptroller, or their Deputies that shall make any Entries of Customs or Subsidies of any Goods in the said Ships, Vessels or Crayers, before such Information as aforesaid, concerning the burthen thereof, shall be made, or before payment made of the sums before limited to be paid by this Act, or shall make any wilful default in not collecting the said sums, or any of them, or not paying the same over, from time to time to the Treasurer of the said Harbour for the time being, or such person or persons as he shall assign to receive the same as aforesaid, shall forfeit to the use of the reparations of the said Harbour ten pounds for every such default, to be recovered by Action of Debt in any Court of Record, by the Warden and Assistants of the said Harbour for the time being, in which Suit no Essoign, Protection, or Wager of Law shall be allowed.

And paid to the Treasurer of Dover Harbour.

Penalty for neglect in the Customer.

Provided alwaies, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to, and for the Master and Wardens of the Trinity-house of London for the time being, to appoint such person or persons as they shall think fit to inspect, and oversee the repairs and works to be made for the security of the said Harbour; And that they may once every year, during the term of Seven years aforesaid, require an Accompt of the respective Collectors of the Duties aforesaid, and the Treasurer for the said Harbour for the time being of the monies by them respectively received by vertue of this Act, and of the disbursements thereof; And if the said Collectors and Treasurer shall not within six weeks next after demand of such Accompt, give in the same accordingly; or if thereupon it shall appear that the said money shall not be duly disbursed in, and about the said repair, and the works for the securing and maintenance of the said Harbour, according to the intent of this Act; or if the said Harbour shall within the time aforesaid be sufficiently repaired, and secured, that then the said Master and Wardens shall inform the Lords of His Majesties Privy Council thereof, who shall and may thereupon, and to that purpose are hereby Impowred to suspend, or cause all and every farther payments by vertue of this Act to cease and determine if they shall see cause.

The Master, Sec. of Trinity-house made Overseers of the work, and to take acc. compts.

Penalty of Treasurer and Collectors not accounting or not duly employing the mony.

Provided alwaies, and be it Enacted by the Authority aforesaid, That all Ships and Vessels, belonging to the Ports of Weymouth, and Melcombe Regis, and Lime Regis in the County of Dorset, having a Peire and Cob of their own, (which by reason of their poverty at present they are not able to maintain) shall be exempt from contributing, or paying any thing to the Harbour of Dover mentioned in this Act; Any thing herein contained to the contrary notwithstanding; So as they shall bring Certificate, made upon Oath before the Mayor, and under the Common Seal of the said respective Corporations, that the said Ships and Vessels do properly belong thereunto; And that the Inhabitants of the said respective Corporations are Owners of the major part of the said Vessels.

Certain Ships exempted. Weymouth, Melcombe, Lime.

Provided alwaies, and be it hereby Enacted, That this Act or any thing herein contained shall not extend to Authorize the Collection of more then the sum of twenty two thousand pounds in the whole, And then the said Collection to cease.

There shall be but 22000l. in all levied.

CAP.



## CAP. XXVIII.

An Act for the regulation of the Pilchard Fishing in the Counties of *Devon* and *Cornwall*.

Preamble.

**W**hereas the publick honour, wealth, and safety of this Realm as well in the maintenance of Trade, and support of Navigation, as in many other respects, doth in an high degree depend upon the Improvement and Encouragement of the Fishery;

Grievance.

And for as much as of late years there have divers pernicious disorders and abuses, by the licentiousness of the times crept in, and yet continue evidently destructive to that Trade, for prevention and redress whereof there is no Law hitherto particularly provided, in the growing evils occasioned by Drivving-Nets, and other fraudulent and injurious practices to the extream damage of the Fishery: Be it therefore Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in Parliament assembled, and it is Enacted by the Authority aforesaid, That from and after the five and twentieth day of May, One thousand six hundred sixty and two, no person or persons, shall in any year from the first day of June till the last of November, presume to take Fish in the high Sea, or in any Bay, Port, Creek, or Coast of or belonging to Cornwall or Devon, with any Drift-Net, Crammel, or Stream-Net, or Nets, or any other Nets of that sort, or kind, unless it be at the distance of one League and an half at least from the respective shores, upon the penalty of forfeiture of the said Nets so employed, or the full value thereof, and one moneths imprisonment without bail, or mainprize.

No fish taken at certain seasons within a League and half of the shore.

Penalty.

None to sell Pilchards, but he that buyes them openly of a Fisherman.

Forfeiture.

Punishment for purloining Fish.

Unlawful assemblies about Fishers Boats and Nets punished.

And it is hereby Enacted by the Authority aforesaid, that if any person or persons being neither Owners, Partners, or Adventurers in the Craft of Fishery, and in the Boats and Saynes thereunto belonging shall presume, from and after the day before limited, to make, or cause to be made any Pilchards or Fumathoes in Cask to be sold, or transported, except he or they shall openly buy the aforesaid Fish of the respective Owners, Partners, and Adventurers in the said Pilchard-Craft, or with their express allowance, leave and consent, that they shall in such case forfeit all and singular such Pilchards and Fumathoes so made, and every Cask thereof, or their full value; the one half to the King, and the other half to him or them that shall so Sue for the same by Bill, Plaint, or other Information, and upon Legal proof recover the same.

And be it further Enacted, that if any Owner, Partner, or Company, or any other person or persons whatsoever, shall fraudulently purloine, imbezil, hide, convey, carry away, or dispose by sale, or otherwise, or cause to be purloined, imbezilled, hidden, conveyed, carried away, or disposed out of the Nets, Boats, or Sellars, any Pilchard Fish without the express leave, consent and allowance of the proper Owners, and major part of the Company respectively, that then every such person or persons that shall offend therein upon legal evidence, shall pay treble the value in satisfaction to the parties so wronged, and be sent to the House of Correction for three Moneths.

And be it further Enacted by the Authority aforesaid, That if any idle or suspicious person or persons shall in the night assemble and flock together about the Boats, Nets or Sellars belonging to any Pilchard-Craft upon any of the Coasts of Cornwall or Devon, having no business there to do, and being warned by the Company, or Owner of such Boats or Sellars to be gone, that then upon complaint made unto any one Justice of the Peace, every such person or persons refusing so to do, shall pay five shillings to the poor of the Parish where such offence was committed, or shall be set in the Stocks for the space of five hours.

## C A P. XXIX.

An Act for the Reverſing the Earl of *Strafford* his Attainder.

**V**hereas Thomas late Earl of *Strafford* was Impeached of High Treason, upon pretence of endeavouring to Subvert the Fundamental Laws, and called to a publick and solemn Arraignment and Trial before the Peers in Parliament, where he made a particular Defence to every Article objected against him, insomuch that the turbulent party then seeing no hopes to effect their unjust designs by any ordinary way and method of proceedings, did at last resolve to attempt the destruction and Attainder of the said Earl by an Act of Parliament, to be therefore purposely made to Condemne him upon accumulative Treason, none of the pretended Crimes being Treason apart, and so could not be in the whole if they had been proved, as they were not, and also adjudged him guilty of constructive Treason (that is) of levying War against the King, though it was only the commanding an Order of the Council-Board in Ireland to be executed by a Serjeant at Armes, and three or four Souldiers, which was the constant practice of the Deputies there for a long time; to which end they having first presented a Bill for this intent to the House of Commons, and finding there more opposition then they expected, they caused a multitude of tumultuous persons to come down to Westminster armed with Swords and Staves, and to fill both the Palace yards, and all the Approaches to both Houses of Parliament with fury and clamour, and to require Justice, speedy Justice against the Earl of *Strafford*; And having by these and other undue practices obtained that Bill to pass in the House of Commons, they caused the names of those resolute Gentlemen, who in a case of innocent blood had freely discharged their consciences, being Nine and fifty, to be posted up in several places about the Cities of London and Westminster, and stiled them *Straffordians* and Enemies to their Country, hoping thereby to deliver them up to the fury of the people whom they had endeavoured to incense against them, and then procured the said Bill to be sent up to the House of Peers, where it having some time rested under great deliberation, at last in a time when a great part of the Peers were absent by reason of the Tumults, and many of those who were present, protested against it, the said Bill passed in the House of Peers; And at length His late Majesty King Charles the First of Glorious memory, granted a Commission for giving His Royal assent thereunto, which nevertheless was done by His said Majesty with exceeding great sorrow then, and ever remembered by him with unexpressable grief of heart, and out of His Majesties great piety he did publicly express it when his own Sacred life was taken away by the most detestable Traitors that ever were.

The reasons of this Act.

For all which causes be it Declared and Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, that the Act Entituled, An Act for the Attainder of *Thomas* Earl of *Strafford* of High Treason, and all and every Clause, Article, and thing therein contained, being obtained as aforesaid, is now hereby repealed, revoked, and reversed.

The Attainder reversed.

And to the end that right be done to the memory of the deceased Earl of *Strafford* aforesaid; Be it further Enacted that all Records, and Proceedings of Parliament relating to the said Attainder be wholly cancelled, and taken off the file, or otherwise defaced, and obliterated, to the intent the same may not be visible in after Ages, or brought into example to the prejudice of any person whatsoever.

All Records thereof to be defaced.

Provided that this Act shall not extend to the future questioning of any person or persons however concerned in this business, or who had any hand in the tumults, or disorderly procuring the Act aforesaid, Any thing herein contained to the contrary thereof notwithstanding.

Yet none shall be impeached for procuring the Attainder.

## C A P. XXX.

An Act for the Importing of Madder pure and unmixed Rep. per St. 15. C. 2. c. 16.

C A P.



## C A P. XXXI.

An Act to prevent the Inconvenience arising by Melting the Silver Coyn of this Realm.

- Cap. 3. **V**hereas by an Act made in the Ninth year of King Edward the Third, It is Enacted that no sterling Half-penny or Farthing shall be moulten to make Aessel, or any other thing by Goldsmiths or any other, upon pain of forfeiture of the moneys so moulten; Whereas by one other Statute made in the Seventeenth year of King Richard the Second, It was further Enacted that no Groats or Half-groats shall be moulten by any man to make Aessel, or other thing thereof upon the same pain; And whereas divers persons do elude the said Statutes as well Goldsmiths as others, by melting Silver-Coyns of this Realm, above the value of Groats to the great diminishing of the Silver-Coyn of this Realm, and the hinderance of the commerce of the same, Be it therefore Enacted by the Kings most excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by Authority of the same, That no person or persons whatsoever shall after the twentieth day of December, One thousand six hundred sixty two, wilfully melt, or cause to be melted any of the currant Silver money of this Realm, upon pain not only of forfeiture of the same, but also of the double value of any such Coyn so melted; the one half to His Majesty, His Heirs and Successors, the other half to the Informers, who shall sue for the same upon Action of Debt, Bill, Plaint, or Information, in any of His Majesties Courts at Westminster, in which no Essoign, Wager of Law, or protection shall be allowed; And moreover that the said person or persons offending contrary to the tenor of this Act (if he, or they be a Freeman, or Freeman or privileged person or persons of any City or Corporation within this Kingdom of England) shall upon legal conviction for the same, be forthwith disfranchised and made incapable of exercising the trade of a Goldsmith, or any other Mystery by virtue of the Priviledges of the City or Corporation of which he or they are members; And if the said person or persons offending, and convicted as aforesaid, shall not be a Freeman or Freeman, or privileged person or persons of any City, or Corporation as aforesaid, then he or they shall suffer imprisonment without bail or mainprize for the space of six months next ensuing his or their conviction as aforesaid.

No currant  
Silver money  
to be melted.

Penalty.

## C A P. XXXII.

An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the West-Riding of the County of York.

- Preamble. **W**hereas divers abuses and deceits have of late years been had, and used in the Manufacture of Broad Woollen Cloth, made within the West-Riding of the County of York, and the spinning and deceitful working thereof, which tends to the great debasing and undervaluation of the said Manufacture both at home, and also in Foreign parts where the same is usually vended.

- For prevention of all which abuses and deceits; It is Enacted by the Kings most Excellent Majesty, by the advice and consent of the Lords Spiritual and Temporal, and Commons assembled in Parliament, That from and after the next Monday after Easter, which shall be in the year of our Lord God, One thousand six hundred sixty and two, there be, and shall be, a Corporation to continue for ever within the said West-riding of the County of York, consisting of all the Justices of the Peace of the said West-riding for the time being, two Masters, ten Wardens, twelve Assistants, and Commonalty; All which said Masters, Wardens, and Assistants, are to be of the ablest and best experienced Clothiers within the said West-riding, and such as have served, and been brought up in the Trade and Mystery of Clothing, by the space of seven years, according to the Laws and Statutes of this Realm: One of which said Masters, Five of which said Wardens, and Six of which said Assistants, shall be chosen the first Monday after Pentecost then next following, and from thenceforth to be yearly, and every year chosen upon the next Monday after Pentecost, at some publique place, by the Free Clothiers of the said West-riding, inhabiting within the parish of

A Corporati-  
on created.

Their Mem-  
bers.

Officers how  
to be chosen.

of Leeds in the said County of York, or the greater part of them present at such Election; and the other Master, five Wardens, and six Assistants, shall be chosen upon the same dayes at some publique place, by the Free Clothiers inhabiting out of the said Town and Parish of Leeds, or the greater part of them present at the said Election of the parts adjacent within the said West-riding; And in case any of the said Masters, Wardens, and Assistants, after their said respective Elections do happen to die, that then it shall and may be lawful, at any Court to be holden next after such Decease, to Elect others in their respective places; And the said Wardens, Masters, and Assistants respectively, shall within Eight daies after their first Choice and Election, take the Oaths of Allegiance and Supremacy, which any two Justices of the Peace within the West-riding, whereof One to be of the Quorum, have hereby power to Administer, and also the ensuing Oath, (Viz.) I A. B. do swear, That I will well, faithfully and honestly perform and discharge the Office of a Master of the Corporation of the Free Clothiers, according to the best of my Skill, Power, and Knowledge: So help me God. And the like Oath, and Oaths, to be Administered to the Wardens and Assistants respectively, mutatis mutandis; And for ever after, the said Justices of the Peace, Masters, Wardens, and Assistants, and their Successors, or any Thirteen of them, shall and have hereby power to Administer the like Oath or Oaths to such Officer or Officers, faithfully and honestly to perform and discharge his and their said Office, and Offices, to which he or they are and shall be so chosen by this Act, at any Court to be by them holden in manner hereafter Declared.

The Oaths to be taken by the Members thereof.

And it is further Enacted by the Authority aforesaid, That the said Justices of the Peace, Masters, Wardens, and Assistants for the time being, together with the said Free Clothiers of the said West-riding, shall for ever hereafter, in name and in fact, be one Body Politique and Corporate in Law to all intents and purposes, and shall have a perpetual Succession, and be called by the name of the Supervisors, Masters, Wardens, Assistants, and Commonalty of the Trade or Mystery of Clothiers, for the well making of broad woollen Cloth, within the West-riding of the County of York; and that they shall be enabled to Plead and Sue, and to be Sued and Impleaded by that name in all Courts and Places of Judicature within this Kingdom; And by that name, shall and may without Licence in Mortmain, purchase, take, or receive, any Lands, Tenements, or Hereditaments, of the Gift, Alienation or Demise of any person or persons, who are hereby without further Licence enabled to transfer the same, and any Goods and Chattels whatsoever, for the use and benefit of the Corporation aforesaid (not exceeding the yearly value of two hundred pounds;) And for the better Regulation of the said Government of the said Trade and Manufacture, the said Justices of the Peace, Masters, Wardens, and Assistants for the time being, or any thirteen of them, whereof there shall be One of the said Justices, or One of the said Masters at the least alwaies present, shall have, and hereby have power and Authority from time to time to meet, and keep Court upon the first Saturday in every Month in every year, for the ends in this Act mentioned, within the said Town of Leeds, at the place commonly called or known by the name of the Sessions-House, or Common-Hall in Leeds aforesaid; And also at such other time and place of the said West-riding, as shall from time to time be appointed, by the said Justices, Masters, Wardens, and Assistants, or any thirteen of them, upon eight dayes notice, or warning to be given of such meeting, and Court to be held: And in case that the Masters, Wardens, and Assistants or the major part of them, shall refuse or neglect to appear, so as a Court cannot be holden accordingly, as is before directed, that then such Master, Warden, or Assistant, so refusing or neglecting, shall forfeit the sum of twenty shillings, the one moiety to the use of the poor of such respective Town where the person so refusing or neglecting shall live, the other moiety to the use of the Corporation: And the said Justices, Masters, Wardens, and Assistants,

The name of the Corporation.

They may sue and be sued.

And purchase Lands without Licence of Mortmain.

And keep Courts.

Penalty if a Member do not appear to make a Court.



or any thirteen of them, are hereby impowered to summon to appear at the said Courts to be held as aforesaid, so many of the said Clothiers, as they shall in their discretions think meet for the better ordering the Affairs of the said Trade, who are hereby required to appear upon such Summons, the number of which persons so Summoned, shall not be under Eight and forty; And in case of neglect or refusal, are to forfeit to the use of the said Corporation, the sum of Ten Shroats, for every default of not appearing, to be levied as is hereafter directed.

Their com-  
mon Seal.

By-laws.

Penalty for  
breach there-  
of.

It shall not  
exceed 20s.

Searchers of  
Cloth sworn.

The length  
and breadth  
of Cloths.

The weight of  
every yard.

Searcher shall  
duly try, &c.

And the said Justices, Masters, Wardens, and Assistants, or any Thirteen of them (whereof One of the said Justices, or One of the said Masters to be present as aforesaid) shall have, and hereby have Power and Authority from time to time, to make and appoint a Common Seal for the use of the said Corporation, and to make and ordain By-laws, Rules, and Ordinances, for and concerning the better Spinning, Working, Making, Fulling, and Milling of Woollen Cloth, as in their Judgments and Discretions, may tend to the good Credit and Advancement of the said Trade and Manufacture, (the same not being contrary to Law) which By-laws, Rules, and Ordinances, being Ratified and Confirmed by the Justices of Assize to be holden for the County of York, shall be published four times in the year at the least, at four publique Meetings or Courts, (Viz.) Upon the first Saturday in June, the first Saturday in September, the first Saturday in December, and the first Saturday in March; and shall be obeyed and kept by the several persons within and under the said Regulation or Corporation. And the said Courts constituted as aforesaid, shall have, and hereby have power to impose a Fine and Penalty upon any person or persons of the said Corporation or Regulation, being a Clothier, that shall not conform to such Rules, Orders and Ordinances so made as aforesaid.

Provided, That the said Fine or Penalty, or any person for not conforming as aforesaid, exceed not the sum of Twenty shillings for one Offence; the full moiety, or one half of the said Fines and Penalties to go to the use of the said Corporation, and the other half or moiety to the use of the poor of the Parish where such person so offending may be dwelling and inhabiting.

And be it further Enacted by the Authority aforesaid, That the said Justices, Masters, Wardens and Assistants, or any Thirteen of them shall have power to nominate and choose Searchers of Cloth in the several places of the said West-riding, who shall be sworn before them, or any Thirteen of them in manner aforesaid, for the true searching of Cloth, that it be of a due weight, length and breadth, according to the Statute.

And in regard the nature of Cloth is much changed in these late years, and that the new Drapery is now most in use, for which sort of Cloth there is no certain Standard for length, weight, and breadth, appointed by any Statute. Be it therefore Enacted by the Authority aforesaid, That the length, weight, and breadth of the said new Draperies of broad woollen Cloth made within the said West-riding, be, and shall be, as is hereby limited and appointed, (viz.) That every Cloth called by the name of an End, or half Cloth, shall be betwixt fifteen yards, and eighteen yards in length in the water, and not to exceed; and one yard and an half in breadth at the least within the Lists. And every Cloth commonly called a Short Cloth, between twenty four yards, and twenty eight yards in length in the water, and not to exceed; and one yard and an half in the breadth at the least within the Lists. And every Long Cloth so called, betwixt thirty yards, and thirty six yards in length in the water, and not to exceed, and one yard and an half in breadth at the least within the Lists. And that every yard of such Cloth shall weigh respectively two pounds and a quarter, accounting sixteen Dunces to the pound, being well thicked, scowred, milled and fully dyed. And that the said Searcher shall according to his Oath, duly try and examine by weight or by water all broad woollen Cloths of what sort soever, made within the

the said West-riding, and shall affix thereunto a Seal of Lead, expressing the true length and weight thereof. And in case any of the said Cloths be found faulty upon tryal and examination, the said Justices, Masters, Wardens and Assistants, or any thirteen of them, shall have power to impose such Fine and Penalty upon the Offenders as by the Laws and Statutes of this Realm in that behalf are, or ought to be imposed upon them for such defaults, the one third part of all such Fines and Penalties to be disposed of to the use of such Searcher or Searchers, certifying the said default of length, weight, or breadth, and the other two parts to the poor of the parish where such offence shall be committed, to be recovered in such manner as is limited and appointed by the Statute made in the One and twentieth year of the late King James, chap. 18. And that all and every such Searcher and Searchers, so chosen as aforesaid, shall before he or they enter upon the execution of the said Office, take the Oaths of Allegiance and Supremacy, and also the Oath ensuing, which Oath the Justices, Masters, Wardens & Assistants, or any thirteen of them as aforesaid, have power to Administer as followeth; I A. B. do swear that I shall well and truly execute the Office of Searcher of broad woollen Cloth within the West-riding of the County of York, according to the Laws and Statutes of this Realm, and according to the best of my Skill and Knowledge; So help me God.

Penalty if any Cloth be faulty.

Searchers Oaths.

And be it further Enacted, That if any Searcher shall fall in the due Execution of his Office contrary to his Oath, and the Laws and Statutes in that case made and provided, every such Searcher shall forfeit and lose for such fault, or not setting to such Seal of Lead as aforesaid, five pounds; And that it shall and may be lawful to and for any other Searcher in the said West-riding (taking with him one of the said Wardens of the said Corporation) to re-search any of the said Cloths, Any thing in any former Statute to the contrary thereof in any wise notwithstanding.

Searcher punished.

And it is further Enacted, That it shall and may be lawful to and for all and every such Searcher and Searchers from time to time, so often as occasion shall require, to enter into any Shop-house, Ware-house, or any other place in the day time of any Clothiers, Drapers, Cloth-workers, or of any other person or persons whatsoever, where any of the said Cloths shall be within the said West-riding, to search for all suspected Cloth: And in case of resistance, the party so resisting shall forfeit the sum of ten pounds, the one half thereof to his Majesty, the other half to the use of the said Corporation: And if upon such search, any Broad-cloth shall be found made of, or mixed with Flocks, Churns, Goats-hair, or other deceitful wool, the said Cloth shall be, and is hereby Declared and Enacted to be forfeited: And that it shall and may be lawful to and for the said Justices, Masters, Wardens, and Assistants, or any thirteen of them, at any Court to be by them held as aforesaid, to dispose thereof in such manner as by the Laws and Statutes of this Realm the same ought to be disposed.

Searchers power.

And be it further Enacted, That no person or persons within the said West-riding, who hath not served as an Apprentice to the Trade of Clothier for the space of Seven years, or have not been exercised therein by the like space of Seven years before, shall make any Broad-cloth to sell, under the penalty of five pounds for every moneth that he, she, or they shall continue to exercise the said Trade, (excepting such persons only as now be in the actual use and exercise of the said Trade) the one moiety thereof to be paid to the Kings Majesty, His Heirs and Successors; and the other moiety to the use of the said Corporation: And that no Householder or Housewife within the said West-riding, or elsewhere within the said County, not being free of the said Trade of Clothiers, or not having been exercised therein as aforesaid, or not being the Widow of any such person as aforesaid, shall from the Feast of Pentecost next ensuing, make or cause to be made any woollen Cloth whatsoever, unless it be to the use of themselves, their Children and Families, but not to sell, upon pain to forfeit double value for every Piece of Cloth so made, and exposed to sale; one Moiety thereof to His Majesty, the other moiety

None shall make Cloth to sell, unless he hath used the Trade Seven years. Penalty.



Provy to any person who shall sue for the same in any of his Majesties Courts of Record, in which no Essoign, Protection, or Wager of Law shall be allowed.

Other Officers

And it is further Enacted by the Authority aforesaid, That the said Justices, Masters, Wardens, and Assistants, or any thirteen of them, are hereby impowred to nominate and appoint a Clerk, a Register, and Treasurer, and such other Officer and Officers to see the due execution of the several Powers given by this Act, as they in their Discretions shall think meet, and to give them an Oath or Oaths for the due execution of their several places as aforesaid.

Fines, &c. how to be recovered.

And it is further Enacted by the Authority aforesaid, That all Fines, Forfeitures and Penalties imposed or to be levied by vertue of this Act (the means & recovery whereof is not otherwise herein provided for and set forth) shall be levied by distress and sale of the Offender or Offenders Goods and Chattels, by Warrant from the said Justices, Masters, Wardens, and Assistants, or any thirteen of them, rendring the overplus to the Owner thereof upon demand.

The Penalty of counterfeiting the common Seal.

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever shall counterfeit the Seal of the said Corporation, he or they so offending shall forfeit the sum of Twenty pounds, so often as such person or persons shall upon due proof be found guilty of the same; which said forfeiture is to be levied by distress and sale of the Offenders Goods, rendring the overplus to the Owner thereof upon demand; and for want of such distress such person and persons to be committed to the common Goal of the County, where he, or they shall be found, by Warrant under the Hand and Seal of any one of the Justices of the Peace in the said County, there to remain without Bail or Mainprize for the space of six moneths, or until such person or persons shall have paid the Fine as aforesaid.

All former Acts contrary to this adulterated.

And be it Enacted, That all and every Article, Clause and Sentence in any Act of Parliament heretofore made touching and concerning the said abuses of broad woollen Clothes in this Act mentioned, and being repugnant or contrary to any Article and Sentence in this Act, shall as touching the said Clothes only made within the said West-riding, from and after the Feast of St. John Baptist, which shall be in the year of our Lord God, One thousand six hundred sixty and two, be utterly void to all intents and purposes whatsoever; And in all Actions and Suits that shall be brought against any person or persons, for acting in any thing according to the true intent and meaning of this Act, the person or persons so sued or molested, shall or may plead the general Issue of Not guilty, and give the special matter in evidence, and shall recover double Costs in every such case, if the Verdict pass for such person or persons, or that the Plaintiff or Plaintiffs be Non-suit therein.

Officers sued may plead the general Issue.

The Aulnagers right and office saved.

Provided alwaies, that nothing herein contained, shall extend or be construed to extend to take away any of the Rights, Duties or Customs, of, or belonging to the Office and Place of His Majesties Aulnager, or his Deputy or Deputies within the said West-riding. But that he or they shall or may from time to time do and perform all and every matter and thing to him or them belonging, according to the Laws and Statutes of this Realm: And also receive all Fees due & accustomed, to the said Office belonging, in as large & ample manner as he or they might or ought to have done, before the making of this present Act; Any thing herein contained to the contrary thereof in any wise notwithstanding.

The Corporation may not set wages for Journey-men.

Provided alwaies, and it is further Enacted by the Authority aforesaid, that neither the said Supervisors, Masters, Wardens and Assistants, nor any of them, nor any other person or persons, free of the said Corporation of broad woollen Clothiers, shall by any Authority derived from this Act, or by colour thereof, set or impose any other or lesser Rates or Wages upon any inferiour Work-men, Servants or Labourers, to be employed by them or any of them in the said Manufacture, then such as shall be from time to time allowed and approved of by the Justices of the Peace in their Quarter-Sessions, according to the Laws and Statutes touching Labourers in that case made and provided.

The Act to continue.

provided also, that this Act continue to the end of the First Session of the next Parliament, and no longer.

C A P.

## C A P. XXXIII.

An Act for Preventing the frequent Abuses in *Printing* Seditious, Treasonable, and Unlicenced Books and Pamphlets; and for Regulating of Printing and Printing-Presses.

**W**HEREAS the well-government and regulating of Printers, and Printing-Presses, is matter of Publick care, and of great concernment; especially considering, that by the general licentiousness of the late times, many evil-disposed persons have been encouraged to print and sell Heretical, Schismatical, Blasphemous, Seditious, and Treasonable Books, Pamphlets, and Papers, and still do continue such their unlawful and exorbitant practice, to the high dishonour of Almighty God, the endangering the peace of these Kingdoms, and raising a disaffection to His most Excellent Majesty, and His Government: For prevention whereof, no surer means can be advised, then by reducing and limiting the number of Printing-Presses, and by ordering and settling the said Art or Mystery of Printing, by Act of parliament, in manner as herein after is expressed.

Preamble.

The Kings most Excellent Majesty, by, and with the consent and advice of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, doth therefore Ordain and Enact, and be it Ordained and Enacted by the Authority aforesaid, That no person or persons whatsoever shall presume to print, or cause to be printed, either within this Realm of England, or any other His Majesties Dominions, or in the parts beyond the Seas, any Heretical, Seditious, Schismatical, or offensive Books or Pamphlets, wherein any Doctrine or Opinion shall be asserted or maintained which is contrary to Christian Faith, or the Doctrine or Discipline of the Church of England, or which shall or may tend, or be to the Scandal of Religion, or the Church, or the Government or Governors of the Church, State, or Commonwealth, or of any Corporation, or particular person or persons whatsoever; nor shall Import, publish, Sell, or dispose any such Book or Books, or pamphlets, nor shall cause or procure any such to be published or put to sale, or to be bound, stitched, or sewed together.

None shall print, or cause to be printed, scandalous Books, &c.

And be it further Ordained and Enacted by the Authority aforesaid, That no private person or persons whatsoever shall at any time hereafter Print, or cause to be Printed any Book, or Pamphlet whatsoever, unless the same Book and Pamphlet, together with all and every the Titles, Epistles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things thereunto annexed, be first Entred in the Book of the Register of the Company of Stationers of London, Except Acts of Parliament, Proclamations, and such other Books and Papers as shall be appointed to be Printed by vertue of any Warrant under the Kings Majesties Sign Manual, or under the hand of one or both of His Majesties principal Secretaries of State, and unless the same Book and Pamphlet, and also all and every the said Titles, Epistles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things whatsoever thereunto annexed, or therewith to be Imprinted, shall be first lawfully Licensed and Authorized to be Printed by such person and persons only as shall be constituted and appointed to Licence the same, according to the direction and true meaning of this present Act herein after expressed, and by no other; (that is to say) That all Books concerning the Common Laws of this Realm shall be Printed by the special allowance of the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, the Lords Chief Justices, and the Lord Chief Baron for the time being, or one or more of them, or by their, or one or more of their appointments; And that all Books of History concerning the State of this Realm, or other Books concerning any Affairs of State, shall be Licensed by the principal Secretaries

All books to be entred with the Company of Stationers.

Except Acts of Parl. &c.

Books shall be licensed.

By whom licensed.

of



of State for the time being, or one of them, or by their, or one of their appointments; And that all Books to be Imprinted concerning Heraldry, Titles of Honour, and Arms, or otherwise concerning the Office of Earl Marshal, shall be Licensed by the Earl Marshal for the time being, or by his appointment, or in case there shall not then be an Earl Marshal, shall be Licensed by the three Kings of Arms, Garter, Clarenceux, and Norroy, or any two of them, whereof Garter principal King of Arms to be one; And that all other Books to be Imprinted or Reprinted, whether of Divinity, Physick, Philosophy, or whatsoever other Science or Art, shall be first Licensed and allowed by the Lord Archbishop of Canterbury, and Lord Bishop of London for the time being, or one of them, or by their or one of their appointments, or by either one of the Chancellors, or Vice-Chancellors of either of the Universities of this Realm for the time being; Provided alwaies, that the said Chancellors, or Vice-Chancellors of either of the said Universities shall only License such Books as are to be Imprinted or Reprinted within the limits of the said Universities respectively, but not in London or elsewhere, not meddling either with Books of the Common Laws, or matters of State or Government, nor any Book or Books, the right of Printing whereof doth solely and properly belong to any particular person or persons, without his or their Consent first obtained in that behalf.

The parties  
licensing shall  
have one  
book,

And be it Enacted by the Authority aforesaid, That every person and persons who by vertue of this present Act are, or shall be appointed, or authorized to License the Imprinting of Books, or Reprinting thereof with any Additions or Amendments as aforesaid, shall have one written Copy of the same Book or Books, which shall be so Licensed, to be Imprinted or Reprinted with the Titles, Epistles, Prefaces, Tables, Dedications, and all other things whatsoever thereunto annexed, which said Copy shall be delivered by such Licencer or Licencers to the Printer or Owner for the Imprinting thereof, and shall be solely and intirely returned by such Printer or Owner after the Imprinting thereof, unto such Licencer or Licencers, to be kept in the publick Registries of the said Lord Archbishop, or Lord Bishop of London respectively, or in the Office of the Chancellor or Vice-Chancellor of either the said Universities, or with the said Lord Chancellor, or Lord Keeper of the Great Seal for the time being, or Lord Chief Justice, or Chief Baron, or one of them, or the said principal Secretaries of State, or with the Earl Marshal, or the said Kings of Arms, or one of them, of all such Books as shall be Licensed by them respectively; and if such Book so to be Licensed shall be an English Book, or of the English Tongue, there shall be two Written Copies thereof delivered to the Licencer or Licencers (if he or they shall so require) one Copy whereof so Licensed shall be delivered back to the said Printer or Owner, and the other Copy shall be reserved and kept as is aforesaid, to the end such Licencer or Licencers may be secured, that the Copy so Licensed shall not be altered without his or their privy; And upon the said Copy Licensed to be Imprinted, he or they who shall so License the same, shall testifie under his, or their hand or hands, That there is not any thing in the same contained that is contrary to the Christian Faith, or the Doctrine or Discipline of the Church of England, or against the State or Government of this Realm, or contrary to good life, or good manners, or otherwise as the nature and subject of the Work shall require; which Licence or Approbation shall be Printed in the beginning of the same Book, with the Name or Names of him or them that shall Authorize or License the same, for a Testimony of the allowance thereof.

The manner of  
the Licence.

It shall be  
printed in  
the book.

No books to  
be imported  
elsewhere then  
London.

And be it further Enacted by the Authority aforesaid, That every Merchant of Books, and person and persons whatsoever, who doth, or hereafter shall Import or bring any Book or Books into this Realm from any parts beyond the Seas, shall Import the same in the Port of London only, and not elsewhere, without the special Licence of the Archbishop of Canterbury, and Bishop of London for the time being, or one of them, who are hereby Authorized to grant Licences

Licences for that purpose, and shall before such time as the same book or books, or any of them be delivered forth, or out of his or their hand or hands, or exposed to Sale, give and present a true Note or Catalogue in writing of all and every such book or books, unto the Lord Archbishop of Canterbury, and Lord Bishop of London for the time being, or to one of them; And no Merchant or other person or persons whatsoever which shall Import or bring any book or books into the Port of London aforesaid, from any parts beyond the seas shall presume to open any Dye, Fats, Sales, Packs, Baunds, or other Fardels of books, or wherein books are, nor shall any Searcher, Waiter, or other Officer belonging to the Custom-house, upon pain of losing his or their place or places, suffer the same to pass, or to be delivered out of his or their hands or custody, before such time as the Lord Archbishop of Canterbury, and the Lord Bishop of London for the time being, or one of them, shall have appointed some Scholar or learned man, with one or more of the said Company of Stationers, and such others as they shall call to their assistance to be present at the opening thereof, & to view the same; And if there shall happen to be found any Heretical, Seditious, Scandalous, Schismatical, or other dangerous or Offensive Book or Books, or any part of such Book or Books Printed in English, they shall forthwith be brought to the said Lord Archbishop of Canterbury, and Lord Bishop of London for the time being, or to one of them, or to some publick place to be assigned and chosen by the said Lord Archbishop, and Lord Bishop for the time being, to the end the person and persons which Importeth, or causeth the said offensive Books to be Imported may be proceeded against as an offender against this present Act; And also that such further course may be taken concerning the same offensive Book or Books, as by the said Lord Archbishop and Bishop for the time being shall be thought fitting for the suppressing thereof.

A Catalogue of books imported shall be given to the Archbishop.

Packs of books imported, searched.

Heretical, seditious, &c. books imported shall be suppressed, and the Importer punished.

And be it further Enacted by the Authority aforesaid, That no person or persons shall within this Kingdom, or elsewhere, Imprint, or cause to be Imprinted, nor shall Import or bring in, or cause to be Imported or brought into this Kingdom from, or out of any other his Majesties Dominions, nor from any other parts beyond the Seas, any Copy or Copies, Book or Books, or part of any Book or Books, or Forms of blank Bills or Indentures for any his Majesties Islands Printed beyond the Seas, or elsewhere, which any person or persons by force or vertue of any Letters Patents granted or assigned, or which shall hereafter be granted or assigned to him or them, or (where the same are not granted by any Letters Patents) by force or vertue of any Entry or Entries thereof duly made or to be made in the Register book of the said Company of Stationers, or in the Register Book of either of the Universities respectively, have or shall have the Right, Priviledge, Authority or Allowance, solely to Print without the consent of the Owner or Owners of such Book or Books, Copy or Copies, Form or Forms of such blank Bills, nor shall Bind, Stitch, or put to sale any such book or books, or part of any book or books, Form or Forms, without the like consent, upon pain of loss and forfeiture of the same, and of being proceeded against as an Offender against this present Act, and upon the further penalty and forfeiture of six shillings eight pence for every such book or books, or part of such book or books, Copy or Copies, or Form or Forms, of any such blank Bills or Indentures, so Imprinted or Imported, Bound, Stitched, or put to sale, The moiety of which said forfeiture and forfeitures, shall be to the use of our Sovereign Lord the King, his Heirs and Successors, and the other moiety to the use of the Owner or Owners, Proprietor, or Proprietors of such Copy or Copies, Book or Books, or Form of such blank Bills or Indentures, if he or they shall sue for the same within six months next after such Imprinting, Importing, Binding, Stitching, or putting to Sale, And in default of such Suit by the Owner or Owners, Proprietor or Proprietors, commenced within the said six months, Then the same moiety shall be to the use and behoof of such other person or persons as within the space of one year next after the said offence committed, shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, or

None shall print or import any book, or part of a book, nor any blank Bills or Indentures in which another hath the property.

Forfeiture.

A moiety to the party grieved if he sue within six months.

Else the moiety to the Informer. Action for the forfeiture.

Informa-



Information, in any of his Majesties Courts of Record held at Westminster, called the Kings Bench, Common Pleas, or Exchequer, wherein no Essoin, Waiver of Law, or Protection shall be allowed to the Defendant or Defendants.

All books shall have the name of the Author and Owner.

Penalty.

None shall set the right Owners name to any book without his leave.

Penalty.

Who may not sell books.

Printing an Art and Manufacture. *Ergo*, No books in English shall be imported.

Penalty.

No Alien shall import or sell any books without licence.

And be it further Enacted and Declared, That every person and persons that shall hereafter Print, or cause to be Printed any Book, Ballad, Chart, Pourtraiture, or any other thing or things whatsoever, shall thereunto, or thereon, Print and set his or their own name or names, and also shall declare the name of the Author thereof, if he be thereunto required by the Licencer, under whose Approbation the Licencing of the said Book, Ballad, Chart or Pourtraiture shall be authorized, and by and for whom any such book or other thing is or shall be Printed, upon pain of forfeiture of all such Books, Ballads, Charts, Pourtraitures and other thing or things Printed contrary to the Tenor hereof: And the Presses, Letters, and other Instruments for Printing, wherewith such Book, Ballads, Pourtraiture, or other thing or things shall be so Imp rinted or Set, or prepared for the Printing thereof, to be defaced and made unserviceable; And that no person or persons shall hereafter Print, or cause to be Imp rinted, nor shall forge, put or counterfeit in or upon any Book or Pamphlet the Name, Title, Mark, or Minnet of any other person or persons which hath or shall have lawful Priviledge, Authority or Allowance of sole Printing the same without the free consent of the person and persons so privileged first had and obtained, upon pain that every person and persons so offending shall forfeit and lose all such Books and Pamphlets upon which such counterfeit Name or Mark shall be Imp rinted, and shall further be proceeded against, as an Offender against this present Act.

And be it further Enacted by the Authority aforesaid, That no Haberdasher of small-wares, Grocer, Chaudler, Shopkeeper, or other person or persons whatsoever, not being Licensed in that behalf by the Lord Bishop of the Diocese wherein such book or books shall be, nor having been seven years Apprentice to the Trade of Book-seller, Printer, or Book-binder, nor being a Freeman of the City of London by Patrimonial right, as Son of a Book-seller, Printer, or Book-binder, nor being a Member of the said Company of Stationers, shall within the City or Suburbs of London, or any other Market-Town, or elsewhere, receive, take, or buy, to barter, sell again, change, or do away any Bibles, Testaments, Psalm-books, Common-Prayer-books, Primers, Abcees, licensed Almanacks, Grammar, School-books, or other book or books whatsoever, upon pain of forfeiture of the same.

And for that Printing is, and for many years hath been an Art and Manufacture of this Kingdom, Therefore for the better encouraging thereof, and the prevention of divers Libels, Pamphlets, and seditious books Printed beyond the Seas in English, and thence transported into this Realm; Be it further Enacted and Ordained by the Authority aforesaid, That no Merchant, Book-seller, or other person or persons whatsoever, shall Imp rint, or cause to be Imp rinted beyond the Seas, nor shall import or bring, nor knowingly assist or consent to the importation or bringing from beyond the Seas into this Realm, any English book or books, or part of any book which is or shall be, or the greater part thereof is or shall be English, or of the English Tongue, whether the same book, books, or part of such book have been here formerly Printed or not, upon pain of forfeiture of all such English books so Imp rinted or Imported contrary to the tenour hereof: And that no Alien or Foreigner whatsoever shall hereafter bring in, or be suffered to vend here within this Realm, any book or books Printed beyond the Seas in any Language whatsoever, either by himself or his Factor or Factors, except such only as be Free Printers or Stationers of London, or such as have been brought up in that Profession, without the special Licence of the Archbishop of Canterbury, and Bishop of London for the time being, or one of them, who are hereby authorized to grant Licences for that purpose, upon like pain of forfeiture of all such books as shall be so Imp rinted or Brought contrary to the purpose and true intent hereof.

And

And be it further Enacted by the Authority aforesaid, That no person or persons within the City of London, or the Liberties thereof, or elsewhere, shall erect or cause to be erected any Press or Printing-House, nor shall knowingly demise or let, or willingly suffer to be held or used any House, Vault, Cellar, or other Room whatsoever, to or by any person or persons for a Printing-House, or place to Print in, unless he or they who erect such Press, or shall so knowingly demise or let such House, Cellar, Vault, or Room, or willingly suffer the same to be used, shall first give notice to the Master or Wardens of the said Company of Stationers for the time being of the erecting of such Press, or of such demise or suffering to work or Print in such House, Vault, Cellar, or Room: And that no Joiner, Carpenter, or other person shall make any Printing-Press, no Smith shall forge any Iron-work for a Printing-Press, no Founders shall cast any Letters which may be used for Printing, for any person or persons whatsoever; neither shall any person or persons bring, or cause to be brought, in from any parts beyond the Seas, any Letters founded or Cast, nor shall buy any such Letters for Printing, Printing-Presses, or other Materials belonging unto Printing, unless he or they respectively shall first acquaint the said Master & Wardens of the said company of Stationers for the time being, or some or one of them, for whom the same Presses, Iron-Work, or Letters are to be made, forged, cast, brought or imported, upon pain that every person who shall erect any such printing-Press, or shall demise or let any House or Room, or suffer the same to be held or used, & every person who shall make any printing-Press, or any iron-work for a printing-Press, or shall make, import, or buy any letters for printing, without giving notice as aforesaid, shall forfeit for every such offence the sum of five pounds, the one moiety whereof shall be to the use of our Sovereign L. the King, his Heirs & Successors, & the other moiety to the use of such person or persons as shall sue for the same.

And be it further Enacted by the Authority aforesaid, That for the time to come no man shall be admitted to be a Master-Printer, untill they who are now actually Master-Printers, shall be by Death or otherwise reduced to the number of Twenty, and from thenceforth the number of Twenty Master-Printers shall be continued, and no more, besides the Kings Printers, and the Printers allowed for the Universities, to have the use and exercise of Printing of Books at one time, and but four Master-Founders of Letters for Printing; The which said Master-Printers, and four Master-Founders of Letters for Printing, shall be nominated, appointed, and allowed by the Lord Archbishop of Canterbury, and Lord Bishop of London for the time being; And in case of Death of any one of the said four Master-Founders of Letters, or of the said Master-Printers, or of forfeiture, or avoidance of any of their places and Privileges to Print by virtue of this Act, for any Offence contrary to the same or otherwise, That then the Lord Archbishop of Canterbury, and Lord Bishop of London for the time being, or one of them shall nominate and appoint such other fit person or persons to succeed and supply the place of such Master-Printer or Founder of Letters as shall be void by Death, forfeiture, or otherwise as aforesaid; And every person and persons which shall hereafter be allowed or permitted to have the use of a Printing-Press, or Printing House, upon or before such his allowance obtained, shall become bound with Sureties to His Majesty in the Court of Kings-Bench, or before some one or more of the Justices of Assize, or the Justices of the Peace at their several Quarter-Sessions, in the sum of three hundred pounds, not to print or suffer to be printed in his house or press any book or books whatsoever, but such as shall from time to time be lawfully Licensed.

And be it further Enacted by the Authority aforesaid, That none of the said Master-Printers so to be allowed from time to time as aforesaid, shall keep above two Printing-Presses at once, unless he hath been Master, or upper Warden of the Company, who are hereby allowed to keep three Presses, and no more, unless for some great and special occasion for the Publick he or they have for a time leave of the said Lord Archbishop of Canterbury, or Lord Bishop of London for the time being, to have or use one or more above the aforesaid Number, as their Lordships or either of them shall think fit.

Notice shall be given to the Company of Stationers of all Printing Presses in London.

No Artificer shall make any Printing Press but must give like notice.

No Letters shall be imported.

Penalty.

But twenty common Master-Printers in London.

No more than four Master-Founders of Letters. And those allowed by the Bishops of Cant. or Lond. The same Bishops shall choose other Printers and Founders of Letters if any be removed or die. Printers shall give security not to print books unlicensed.

Who shall keep two, three or more Presses



What Pientices they may take.

And be it also Enacted by the Authority aforesaid, That no Printer or Printers (Except the Kings Printers) nor Founder or Founders of Letters for Printing shall take or retain any more or greater number of Apprentices, then is herein after limited and appointed (that is to say) every Master Printer, and Master Founder of Letters for Printing, that is or hath been Master or upper Warden of his Company, may have three Apprentices at one time and no more; And every Master Printer, and Master Founder of Letters for Printing, that is of the Livery of his Company, may have two Apprentices at one time and no more; And every Master Printer, and Master Founder of Letters for printing, of the Peomanry of his Company, may have one Apprentice at one time, and no more, neither by Copartnership, binding at the Scriveners, nor any other way whatsoever; Neither shall it be lawful for any Master Printer or Master Founder of Letters, when any Apprentice or Apprentices shall run or be put away, to take another Apprentice or other Apprentices in his or their place or places, unless the name or names of him or them so gone away be razed out of the Hall-Book, and never admitted again.

Master Printers and Founders shall take one Journey-man though they need him nor.

And because a great part of the secret Printing in corners hath been caused for want of Orderly Imployment for Journey-men-Printers, the said several Master Printers, and Master Founders of Letters for Printing so to be allowed as aforesaid, are hereby required to take special Care, that all Journey-men Printers, and Journey-men Founders of Letters for printing, who are lawfully free of the said respective Mysteries, be set to work, and employed in their respective Trades; And if any such Journey-man Printer, or Journey-man Founder of Letters, being of honest and good behaviour, and able in his Trade, do want Imployment, he shall repair to any of the said Master Printers, or Master Founders of Letters respectively for the time being, who thereupon shall receive him or them into Work, If such Master Printer, or Master Founder of Letters have not a Journey-man already, although such Master Printer, or Master Founder of Letters respectively, with his Apprentice or Apprentices be able without the help of the said Journey-man to discharge his own work, upon pain that every Master Printer, and Master Founder of Letters respectively, refusing to receive such Journey-man repairing to him as aforesaid, shall forfeit five pounds to be recovered by Bill, Plaint, or Information in any Court of Record, wherein no Essoin, Waiver at Law, Privilege or Protection shall be admitted; the Moiety of which forfeiture shall go to the Kings Majesty, His Heirs and Successors, and the other Moiety to the Informer who shall sue for the same within six months next after the said offence committed; And if any Journey-man, or Journey-men printers, or Founders of Letters for printing shall refuse imployment, being offered to him or them by any Master Printer, or Master Founder of Letters respectively, or neglect it when he or they have undertaken it, he or they so refusing, or neglecting shall suffer three months Imprisonment at the least without Bail or Mainprize, upon conviction of such his said refusal or neglect by two Witnesses before any one or more Justice or Justices of the Peace, who are hereby impowred to hear and examine the said offence, and to commit the said Offender and Offenders to the Common Goal of the County where he or they shall be apprehended: And no Master Printer, or Master Founder of Letters for printing shall from henceforth employ either to work at the Case or Press or otherwise about his Printing, any other person or persons then such only as are English-men and Freemen, or the Sons of Freemen or Apprentices to the said Trades or Mysteries of printing, or Founding of Letters for Printing respectively.

The forfeiture.

The penalty of Journey-men Printers or Founders refusing to work, or neglecting work.

No foreigners to be employed

Messengers of the Kings Chamber authorized to search for and seize unlicensed books.

And for the better discovering of printing in Corners without Licence, Be it further Enacted by the Authority aforesaid, That one or more of the Messengers of His Majesties Chamber, by Warrant under His Majesties Sign Manual, or under the Hand of one or both of His Majesties principal Secretaries of State, or the Master and Wardens of the said Company of Stationers, or any one of them shall have power and authority with a Constable to take unto them such

such assistance as they shall think needful, and at what time they shall think fit, to search all Houses and Shops, where they shall know, or upon some probable reason suspect any Books or Papers to be Printed, Bound, or Stitched; especially Printing-houses, Booksellers Shops, and Warehouses, and Bookbinders houses and Shops, and to view there what is imprinting, binding, or stitching, and to examine whether the same be Licensed, and to demand a sight of the said Licence; and if the said Book so imprinting, binding, or stitching shall not be Licensed, then to Seize upon so much thereof as shall be found imprinted, together with the several Offenders, and to bring them before one or more Justices of the Peace, who are hereby authorized and required to commit such Offenders to Prison, there to remain untill they shall be tryed and acquitted, or convicted and punished for the said Offences. And in case the said Searchers shall upon their said Search find any Book or Books, or part of Books unlicensed, which they shall suspect to contain matters therein contrary to the Doctrine or Discipline of the Church of England, or against the State and Government, Then upon such suspicion to seize upon such Book or Books, or part of Book or Books, and to bring the same unto the said Lord Archbishop of Canterbury, and Lord Bishop of London for the time being, or one of them, or to the Secretaries of State, or one of them respectively, who shall take such further course for the suppressing thereof, as to them or any of them shall seem fit.

And be it Ordained and Enacted by the Authority aforesaid, That all and every Printer and Printers of Books, Founder and Founders of Letters for Printing, and all and every other person and persons working in or for the said Trades, who from and after the Tenth day of June, in the Year One thousand six hundred sixty and two, shall offend against this present Act, or any Article, Clause, or Thing herein contained, and shall be thereof convicted by Verdict, confession, or otherwise, shall for the first offence be disabled from exercising his respective Trade for the space of three years, and for the second offence shall for ever thence-after be disabled to use or exercise the Art or Mystery of Printing, or of Founding Letters for Printing, and shall also have and receive such further punishment by Fine, Imprisonment, or other Corporal Punishment, not extending to Life or Limb, as by the Justices of the Court of Kings Bench, or Justices of Oyer and Terminer, or Justices of Assize in their several Circuits, or Justices of the Peace in their several Quarter Sessions shall be thought fit to be inflicted. The which said Justices of the Peace in their several Quarter Sessions shall have full power and authority to hear and determine all and every offence and offences that shall be committed against this Act, or against any branch thereof, upon indictment or information by any person or persons to be taken before them in their Sessions of Peace respectively, and shall yearly certify into the Court of Erchequer, as in other like Cases they are bound to do, the Fines by them imposed for any the offences aforesaid, and shall and may also by vertue hereof award Process, and Execution for the taking or punishing such Offenders as in any other Case they lawfully may do by any the Laws and Statutes of this Realm.

And be it further Enacted by the Authority aforesaid, That every Printer shall reserve three printed Copies of the best and largest Paper of every Book new printed, or reprinted by him with Additions; and shall before any publick Reading of the said Book bring them to the Master of the Company of Stationers, and deliver them to him; one whereof shall be delivered to the Keeper of his Majesties Library, and the other two to be sent to the Vicechancellors of the two Universities respectively, for the use of the Publick Libraries of the said Universities.

Provided alwaies, That nothing in this Act contained shall be construed to extend to the prejudice or infringing of any the just Rights and Priviledges of either of the two Universities of this Realm, touching and concerning the Licensing or Printing of Books in either of the said Universities.

Penalty of  
Printers and  
Founders in-  
fringing this  
Act.

First offence.  
Second of-  
fence.

Sessions of  
Peace to pu-  
nish the offen-  
ders.

Printers shall  
give three  
books of all  
printed books,  
one to the  
King, the other  
to each Uni-  
versity.

The Universi-  
ty Priviledges  
for licensing  
books taxed.



Peers, and  
mens houses  
of other trades  
not to be search-  
ed but by  
special order.

Provided alwaies, That no search shall be at any time made in the House or Houses of any the Peers of this Realm, or of any other person or persons not being free of, or using any of the Trades in this Act before mentioned, but by special Warrant from the Kings Majesty, under His Sign Manual, or under the Hand of one or both of His Majesties principal Secretaries of State, or for any other Books than such as are in printing, or shall be printed after the tenth of June, One thousand six hundred sixty two; Any thing in this Act to the contrary thereof in any wise notwithstanding.

Books printed  
ten years since  
may be impor-  
ted bound by  
free Stationers.

Provided also, That neither this Act, nor any thing therein contained shall extend to prohibit any Bookseller, who hath served seven years, and is free of the Company of Stationers London, from importing or bringing into this Realm any Books ready bound not formerly prohibited, which have been Printed ten years before the said importation; Any thing in this or any other Act to the contrary notwithstanding.

Provision for  
the Booksel-  
lers in West-  
minster Hall.

Provided also, and be it further Enacted by the Authority aforesaid, That neither this Act, nor any thing therein contained shall be construed to prohibit any person or persons to sell Books or Papers, who have sold Books or Papers within Westminster-Hall, the Palace of Westminster, or in any Shop or Shops within twenty yards of the great Gate of Westminster-Hall aforesaid, before the twentieth day of November, One thousand six hundred sixty and one; but they and every of them may sell Books and Papers, as they have or did before the said twentieth day of November, One thousand six hundred sixty one, within the said Hall, Palace, and twenty yards aforesaid, but not elsewhere; Any thing in this Act to the contrary in any wise notwithstanding.

Patentees  
rights saved.

Provided also, That neither this Act, nor any thing therein contained shall extend to prejudice the just Rights or Privileges granted by His Majesty, or any of His Royal Predecessors to any person or persons under His Majesties Great Seal or otherwise, but that such person or persons may exercise and use such Rights and Privileges as aforesaid, according to their respective Grants; Any thing in this Act to the contrary notwithstanding.

Provided also, That neither this Act, nor any thing therein contained, shall extend to prohibit John Streater, Stationer, from printing Books and Papers, but that he may still follow the Art and Mystery of Printing, as if this Act had never been made; Any thing therein to the contrary notwithstanding.

A Printing  
Press allowed  
at York.

Provided also, That neither this Act, nor any thing therein contained, shall extend to restrain the keeping and using of a Printing Press in the City of York; so as all Books of Divinity there printed, be first Licensed by the Archbishop of York for the time being, or such person or persons whom he shall appoint; and all other Books whatsoever there Printed, be first Licensed by such persons respectively to whom the licensing thereof doth or shall appertain by the rules herein before mentioned, and so as no Bibles be there Printed, nor any other Book whereof the Original Copy is or shall be belonging to the Company of Stationers in London, or any Member thereof; and so as the Archbishop, or Lord Mayor of York for the time being, do execute within the said City (which they are hereby impowred to do) all the Powers and Rules in this Act concerning Searches for unlicensed Books, and impose and levy the said penalty in the like cases, Any thing in this Act to the contrary notwithstanding.

The Act to  
continue.

Provided, That this Act shall continue and be in force for two years, to commence from the tenth of June, One thousand six hundred sixty and two, and no longer. Stat. 16. Car. 2. cap. 8. continued unto the end of the next Session of Parliament, 16. and 17. Car. 2. cap. 7. further continued.

The End of the First Part.

# ACTS OF PARLIAMENT

Made in the Raign of our Sovereign Lord

King Charles II, &c.

Defender of the Faith, &c.

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## The Second Part.

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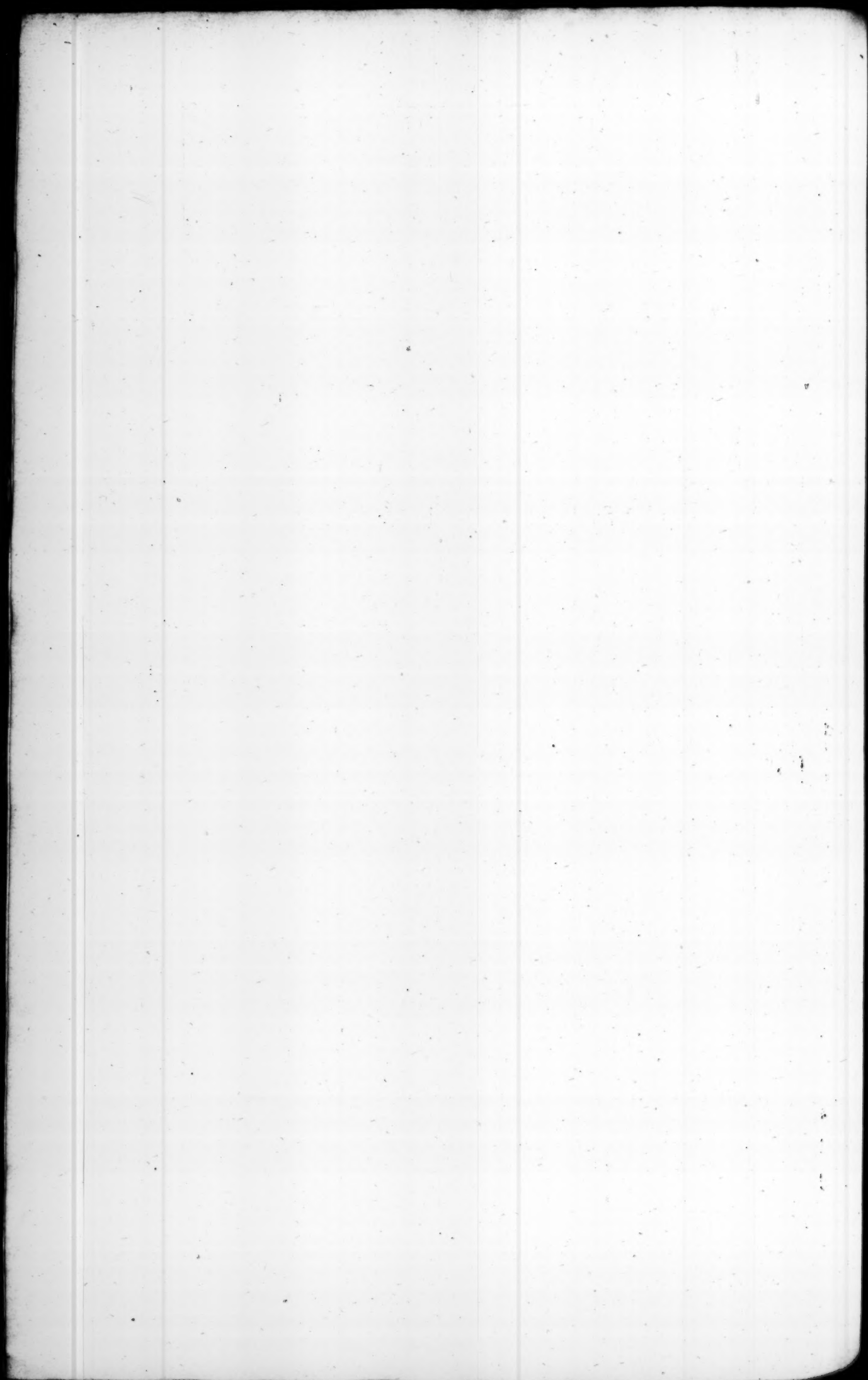
Beginning in the XV<sup>th</sup> Year of His MAJESTIES Raign,  
*Anno Domini 1663.*



In the SAVOY :

Printed by the Assigns of *John Bill* and *Christopher Barker*,  
Printers to the Kings most  
Excellent Majesty. 1667.





1

ANNO XV.  
**Caroli II. Regis.**

At the PARLIAMENT begun at *Westminster*, the Eighth day of *May*, 1661. and in the Thirteenth Year of the Raigñ of Our Sovereign Lord King *Charles* the Second, &c. Defender of the Faith, &c. And by divers Prorogations and Adjournments, continued to the Twenty seventh day of *July*, in the Fifteenth Year of His said Majesties Raigñ; and thence Prorogued to the Sixteenth day of *March* next following. It was Enacted as followeth,

CAP. I.

An Act for Repairing the High-ways within the Counties of *Hertford*, *Cambridge* and *Huntington*,



Whereas the ancient High-way and Post-Road leading Preamble.  
 from London to York, and so into Scotland, and  
 likewise from London into Lincolnshire, lieth for  
 many Miles in the Counties of Hertford, Cambridge,  
 and Huntington, in many of which places the Road,  
 by reason of the great and many Loads which are  
 weekly drawn in Waggones through the said places,  
 as well by reason of the great Trade of Barley and  
 Hault that cometh to Ware, and so is conveyed by  
 Water to the City of London, as other Carriages

both from the North parts, as also from the City of Norwich, Saint Edmunds Grievance.  
 Bury, and the Town of Cambridge to London, is very ruinous, and become  
 almost impassible, insomuch, that it is become very dangerous to all His  
 Majesties Liege people that pass that way: And for that the ordinary course  
 appointed by the Laws and Statutes of this Realm, is not sufficient for the  
 effectual repairing and amending of the same, neither are the Inhabitants  
 through which the said Road doth lie, of ability to Repair the same, without  
 some other provision of Monies to be raised towards the putting the same in-  
 to good, and sufficient Repair: For remedy whereof, and to the intent the said  
 High-ways, at or in the Counties aforesaid, may be forthwith effectually re-  
 paired and amended, and from time to time hereafter kept in good repair:  
 May it please Your Majesty that it may be Enacted, And be it Enacted by the  
 Kings most Excellent Majesty, by and with the Advice and Consent of the  
 Lords Spiritual and Temporal, and the Commons in this present Par-  
 liament assembled, and by the Authority of the same, That for the Surbey-  
 ing, Ordering, Repairing, and keeping in Repair of the said High-way in Power to the  
Justices of  
Peace to elect  
Surveyors.  
 the Counties aforesaid, Four Justices of the Peace for each of the said se-  
 veral and respective Counties dwelling next to the said High-ways respective-  
 ly, or any two of them, for the year One thousand six hundred sixty three,  
 and until the Quarter-Sessions then next ensuing; and from thenceforth,  
 the Justices of Peace at the Sessions to be holden next after Easter every year,  
 for the said respective Counties from time to time, shall and are hereby im-  
 powered to nominate and appoint Nine sufficient and able persons residing  
 and inhabiting within the said several and respective Counties, to be Sur-  
 veyors of the several places in the said High-way for the year from thence next  
 ensuing:



ensuing: The Justices of the Peace for the County of Hertford, to appoint Surbeyors for the High-way lying in the said several Towns and Parishes of the said County; and the Justices of the Peace in the County of Cambridge, to appoint Surbeyors for the several Towns and Parishes within their said County of Cambridge; And the Justices of Peace for the County of Huntington to appoint Surbeyors for the several Towns and Parishes of the said County: And that the said Justices or Surbeyors aforesaid shall not act or do any thing towards the Repairs of the said High-ways, but in their own several and respective Counties: And that the said Justices in their several Counties, shall cause notice to be given to the several Surbeyors so chosen, in writing, of their said choice: which said Surbeyors and every of them having no lawful impediment to be allowed by the said Justices by whom they shall be chosen in manner as aforesaid, within one week next after such notice to them given of their Election, shall, and are hereby required to meet and assemble themselves together (that is to say) the Surbeyors for the County of Hertford, in some convenient place within the County of Hertford; and the Surbeyors chosen for the County of Cambridge, in some convenient place within their County; and the Surbeyors chosen for the County of Huntington, in some convenient place within their said County, to be appointed by the several Justices of the said Counties, at their several Quarter Sessions, to the intent to view and surbey the said High-way and places aforesaid, and shall consider what Reparations shall be needful for Repairing of the several High-ways and places aforesaid; and the said several Surbeyors in their respective Counties shall provide Stones, Gravel, and other materials and necessities to be used for and towards the Repairing and Amending the said High-way at the places aforesaid: And the said Surbeyors, or three, or more of them in their respective Counties being so met and assembled, are hereby authorized to appoint a Receiver or Collector of Toll, and such other Officer and Officers as they shall finde necessary in their respective Counties for carrying on the said Work (with such moderate allowance as shall be thought fit) to be approved of by any two or more Justices of the Peace for the said respective County for which such Officer is chosen, living near to the said High-way or places aforesaid, or otherwise to be removed, and other fit person or persons to be chosen in his or their places by the said Justices in the said several and respective Counties.

Their names  
are to be published.

The Surveyors  
to meet.

A Collector.

His Approba-  
tion.

Surveyors may  
pris Carts.

Penalty of one  
not sending his  
Cart or Team.

No Carts to be  
sent above three  
Miles.

And for the better effecting thereof, Be it Enacted by the Authority aforesaid, That the said Surbeyors, or any three or more of them in their several Counties, shall from time to time, as they shall see cause, appoint and require all and every person and persons inhabiting within three miles of the places aforesaid, being within their several and respective Counties, who by any Law or Statute of this Realm now in force, is or are chargeable to finde any Wain or Cart for the amending of the High-ways, and every other person and persons chargeable to labor in the High-ways, upon reasonable notice, to send his or their Cart, or Wain, and Team, or to come to labor in the said High-way at any the places aforesaid within their respective Counties, so furnished as by the Laws and Statutes of this Realm is directed for the amending of other High-ways, when and so often as the said Surbeyors for their said several Counties, or any three or more of them shall think needful and appoint; For which, the said Surbeyors shall pay unto such Laborers, and to the Owners of such Teams, Carts, and Wains, according to the usual rate of the Countrey. And in case any person so charged to send his, her, or their Team to work as aforesaid, shall refuse or neglect so to do, such persons so refusing or neglecting, shall forfeit Ten shillings for every day that he or they shall make such default; and every Laborer Eighteen pence for every day he shall neglect or refuse to work as aforesaid.

Provided, That no person or persons by vertue of this Act be compelled or compellable to labor, or to send his or their Team, Cart, or Waggon for

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the mending of the said High-way, to any of the said places being above Three miles distant from his Dwelling-house, or not in the same County, nor to labour, or lend his or their Team, Cart or Waggon for amending of the said High-way above Three days in any one week, nor at any time in Seed-time, Hay or Corn-harvest: And in case that any question shall happen to arise touching the hire to be given by the said Surbepors for such Team, Cart or Waggon, or concerning the wages of such Labourers employed in mending the said High-ways, That then the said Justices of the Peace in the County where such difference ariseth, or any two or more of them, shall and may determine and set down what hire for such Team, Cart or Waggon, and also what wages to such Labourer shall be paid or allowed by the said Surbepors, and such Order in that behalf to be made shall conclude all parties.

And be it further Enacted by the Authority aforesaid, That where there is not sufficient Gravel, Chalk, Sand, or Stones within any Parish, Town, Village or Hamlet, wherein the said High-way, or places aforesaid, or any of them do lie, to repair the said High-way at any of the places aforesaid; It shall and may be lawful for the said Surbepors in their several and respective Counties, or any three or more of them, and such person or persons as they shall appoint, to digg, take, and carry away Gravel, Chalk, Sand or Stones out of the Waste or Common of any neighbouring Parish, Town, Village, or Hamlet (without paying any thing for the same) for the repairing or amending of the said High-way at any the places aforesaid; or where there is not sufficient of such materials in any Common or Waste Ground thereunto near adjoining, to digg in the several Grounds of any person or persons, not being an House, Garden, Orchard, Yard, or Park stored with Deer, being within any Parish chargeable towards the repairs of the said High-way and places so to be repaired, where any such materials are or may be found: And from time to time to carry away such and so much thereof as the said Surbepors, or any three or more of them in their respective Counties shall adjudge necessary for the said Reparations, without paying any thing for such materials, saving onely such reasonable satisfaction to the Owner or Occupier of the Ground where the same shall be so digged and carried away, as for the damage he or they shall thereby sustain, to be assessed and adjudged by the said Justices of the County where the same is digged, at the next, or any other Quarter-Sessions for the said County, in case of difference concerning the same; And that the Pits and places where, and from whence such materials shall be dug and carried away for the Reparations aforesaid, shall with all convenient speed (to be adjudged by the said Justices of Peace as aforesaid) be filled up, and levelled with earth, or other materials, or else railed about, so as that the same may not be deemed dangerous or prejudicial to man or beast. And for the defraying of the charge of such Reparations to be done in the places aforesaid;

Be it further Enacted, That from and after the choice of the Surbepors aforesaid, it shall and may be lawful to and for the said Surbepors for the time being, with such consent and approbation as is aforesaid, of the said Justices of the several Counties, within their own Counties, and not elsewhere, to choole and appoint one or more fit person or persons to receive or take such sum or sums of money in the name of Toll or Custom to be paid for all such Horses, Carts, Coaches, Waggones, Oxen and Gangs of Cattel as in time to come shall pass, be led, or driven in or through the said way or places aforesaid, as are hereafter by this Act limited and appointed, (that is to say) for every Horse one penny, for every Coach six pence, for every Waggon one shilling, for every Cart eight pence, for every score of Sheep or Lambs one half-penny, and so proportionably for greater numbers: For every score of Oxen, or Beest Cattel five pence, and so for every greater or lesser number proportionably: For every score of Hogs two pence, and so for every greater or lesser number proportionably, not being under five. And that

Provision for Gravel.

To be digged in Wastes without paying.

Power to digg in the several Grounds of any one liable to repair.

Paying for the damage.

The Pits to be filled up.

A Toll paid by Passengers to defray the charges.

A Receiver.



that from and after the passing this Act, all and every person or persons who shall travel with Horse, Coach, Cart, or Waggon, or shall lead or drive any Oxen, Sheep, Horses, or other Cattel aforesaid, in and through the High-way and places aforesaid, shall and are hereby required to pay unto the respective Collectors and Receivers of Toll in the several Counties aforesaid in that behalf to be appointed, after the Rates aforesaid: The places for Collecting of the said Toll to be, for the County of Hertford, at Wades-Mill; and for the County of Cambridge, at Caxton within the said County of Cambridge; and for the County of Huntington, at Stilton in the said County of Huntington, and at no other place or places within the said Counties: And in case any person or persons upon demand made of Toll aforesaid by the Collector or Receiver in that behalf to be appointed, shall neglect or refuse to pay the same, That then it shall and may be lawful to and for the said Collector or Receiver appointed for the Receipt of the said Toll, upon such refusal, to Distrain and detain such Horse, Cart, Coach, Waggon, Oxen, or other Cattel aforesaid, or any of them, untill the said Toll shall be satisfied and paid according to the tenor of this present Act, together with such damages as the party so Distraining shall sustain by keeping of such Distress: Of all which Money so to be received, the said Collector or Receiver of Toll so to be appointed in the several Counties, shall from time to time render true Accounts, and shall pay the money so by them received, unto the said Surbepors of their several and respective Counties, or to any three or more of them, or unto such Treasurers as they shall appoint, when, and as often as they shall be thereunto required by the said Surbepors, or any three or more of them, by them to be laid out and expended for and towards the necessary Repairs, and amending of the several places aforesaid, and not elsewhere within their said several and respective Counties.

And be it further Enacted by the Authority aforesaid, That the Surbepors, and every of them in their several and respective Counties, at the Quarter-Sessions of the Peace for the said County, to be holden next after Easter in every year, shall make and yield up unto the Justices of the Peace there to be assembled, a perfect Account in writing under their hands, of all the money which they or any of them shall have received from the said Collector or Receiver of Toll in their said County, and likewise of all their Disbursements in and about the said High-way, or otherwise by reason of their Offices; And in case of any overplus of money so received, remaining in their hands, shall pay the same to the Surbepors to be chosen for the Year ensuing, or to the Treasurer or Receiver by them to be appointed, to be disbursed and laid out in the several places aforesaid, within such County wherein the overplus doth remain, and not elsewhere, in the Year ensuing; which said Justices to whom such Account shall be given, shall out of the benefit of the said Toll, make such allowance unto the said Surbepors, for and in consideration of their care and pains taken in the execution of their said Offices, as to them shall seem good: And in case the Collector or Receiver of the aforesaid Toll for the respective Counties so to be paid as aforesaid, shall not upon request duly pay the same unto the said Surbepors of the said County for the time being, or the Treasurer or Receiver by them appointed; or in case the said Surbepors or any of them shall not make such Account and payment as aforesaid, That then the said Justices for the several and respective Counties, at any Quarter-Sessions of the Peace to be holden for the said County, in case of such default of Account or Payment, shall and may make enquiry concerning such default, as well by the confession of the parties themselves, as by testimony of two, or more credible Witnesses upon Oath; and in case of such default to be found and adjudged by the said Justices in their said respective Counties, either in their said Receiver or Collector of the said Toll, or in their said Surbepors, or any of them; The said Justices upon such their conviction shall commit the party or parties so convicted, to the common Gaol for the

The places where the Toll shall be gathered.

Remedy for it.

The Collector shall pay the Toll to the Surveyors.

The Surveyors to account to the Sessions.

Surveyors paid.

The penalty of the Collector not duly accounting and paying.

the said County, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and payment as aforesaid.

And forasmuch as the Moneys so to be Collected by such receipt of the said Toll, will not at present raise such a Stock or Sum of money as may be sufficient for the speedy repairing of the Premises in the said several Counties of Hertford, Cambridge, and Huntington, It is hereby further Enacted, and the said Surbepors are hereby enabled by and with the like consent of the said Justices, for their several and respective Counties, without further License, severally to engage the profits arising of their said Toll in their several Counties, for such sum or sums of money by them to be borrowed for that purpose, and by Indenture under the Hands and Seals of the said respective Surbepors for the time being, to transfer the said profits of the said Toll, and to grant and convey the same for any time or term, not exceeding nine years, unto any person or persons that shall or will upon that Security advance any present sum or sums of money for and towards the present repairing and amending of the said High-way in the respective places and Counties aforesaid, for the repayment of such principal sum or sums of money so lent, with Interest for the same; or in case such sum or sums of money cannot be borrowed upon the Security aforesaid, for the repair of the said Ways, That then it shall and may be lawful to and for the said Justices in their said several and respective Counties, at their several Quarter-Sessions, when they shall see cause, to make a Rate not to extend to any other County but their own, nor to repair any other then the places aforesaid, in that particular County where such Rate is made, whereby they shall have power for their several Counties to raise upon the Parishes that lie in or near the said Road (and so will have a benefit therefrom) such sum or sums of money as they shall see fit and convenient for the speedy effecting of the said Repairs before mentioned; which said sum and sums so to be rated as aforesaid, shall be paid to the Surbepors for the respective County where such Rate is made, or to their Receiver or Collector, to be employed for the repairing of the said Ways and places aforesaid, and not otherwise: And in case any person shall refuse to pay such Rate so to be made, That it shall and may be lawful for the said Surbepors, or their said Receivers and Collectors to distrain for such sum or sums of money, and the Distress to sell, rendering the overplus to the Owners.

Provided always, and it is Enacted by the Authority aforesaid, That the said money so advanced by the said several Towns in the said respective Counties, shall again be repayed with Interest by the several Surbepors for the several Counties, as it doth arise, out of the said Toll, every County paying for what is so borrowed within its own County, and no further.

And be it further Enacted by the Authority aforesaid, That if any person or persons not having any lawful cause to be allowed as aforesaid, shall neglect or refuse to take upon him or them the said Office of Surbepor, being thereunto nominated and chosen according as by this Act is appointed, or to do or perform his or their duty in the due and speedy execution of this present Act, the said Justices of the Peace for the several and respective Counties where such Surbepor or Surbepors dwell, at their Quarter-Sessions shall and may hereby have power to impose on such person or persons so refusing or neglecting such Fine or Fines (not exceeding Ten pounds upon each person so refusing or neglecting) as to them shall seem meet, and to cause the same to be levied by distress and sale of his or their Goods, rendering to the party so distrained the overplus, if any shall be.

And be it further Enacted by the Authority aforesaid, That all Fines or Forfeitures to be imposed or incurred by virtue of this Act, shall be paid to the Surbepors for the time being, or any three of them, or the Treasurers of the said Surbepors for the said respective Counties, for and towards the repairing of the said High-ways, and places aforesaid: And in case of refusal,

The Surveyors  
impowred to sell  
the Toll to raise  
present money.

If no money  
can be so raised,  
then the Justices  
may make a  
Tax.

That Tax paid  
to the Surveyors.

Distress for it.

The Tax repaid  
with Interest.

Penalty of refusing  
to be a Surveyor,  
or negligence therein.

All to be paid  
to the Surveyors.



New Survey-  
ors upon death  
or removal.

or if any person or persons so chosen to take upon him or them the said Office, shall happen to die, or shall for any lawful impediment be discharged from the said Office, that then some other fit person or persons within that County shall be appointed by two or more Justices in the said County, living near the said High-way and places aforesaid, in the place of him or them that shall so refuse, die, or be discharged; and the person or persons so chosen, shall and are hereby required upon notice thereof to him or them given under the hands and seals of the said Justices by whom he or they shall be so chosen, to take upon him or them the said Office of Surveor, and to execute the same in such manner, and under such and the like penalties, as if he or they had been chosen by the Justices at their Sessions of the Peace in manner as aforesaid.

Officers sued  
only in their  
proper Counties  
and may plead  
the general is-  
sue.

And be it further Enacted by the Authority aforesaid, That if any Suit shall be commenced against any person for any thing done in pursuance of this present Act, That in every such case the Action shall be laid in the said respective Counties where the cause doth arise, and not elsewhere; and the Defendant in such Action so to be brought, may plead the general Issue, and give this Act, and the special matter in evidence at any Trial to be had thereupon, and that the same was done in pursuance, and by Authority of the said Act: And if it shall so appear to be done, and that such Action shall be brought in any other County, That then the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall be non-suited, or discontinue his Action after the Defendant shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff, the said Defendant shall have and recover his double Costs, and have the like remedy for the same, as any Defendant hath in any other case by Law.

Double costs.

No Passenger  
shall pay twice  
in one day.

Provided always, That no person or persons having occasion to pass any place where the Toll is taken, and return the same day with the same Horse, Coach, Waggon, or other Carriage, or with Cattel, shall be compelled in the same day to pay the said Toll a second time; Any thing in this Act to the contrary notwithstanding.

Persons former-  
ly liable to con-  
tinue so.

Provided also, That all and every person and persons who by Law are chargeable towards the repairing of the said High-ways and places aforesaid, shall still remain so chargeable; Any thing in this Act to the contrary thereof in any wise notwithstanding.

This Act to  
continue but e-  
leven years.

Provided also, That neither this Act, nor any thing therein contained, shall extend to any further time, or be of force any longer then the term of Eleven years, to be accounted from the passing of this Act; Any thing in this Act to the contrary notwithstanding.

Certain Carria-  
ges of some  
adjacent Towns  
to pass Toll-  
free.

Provided always, That all and every person and persons passing through the respective places appointed for the receiving of Toll as aforesaid (viz.) at Wades-Mill for the County of Hertford, at Caxton for the County of Cambridge, and at Stilton for the County of Huntington; and coming immediately and primarily to, and from the several Parishes of Standen, Thundridge, Ware, and Bengoe, adjacent to Wades-Mill in the said County of Hertford; and Stowe, great Papworth, little Papworth, Borne and Elmsley adjacent to Caxton in the said County of Cambridge; and Yaxley, Waddingley, Glatton, Cunington, Waddon, and Stibbington, adjacent to Stilton in the said County of Huntington, shall have a liberty to carry any quantity or quantities of Stones, Sand, Lime, or Gravel, Dung, Mould, and Composts of any nature or kind whatsoever, Bricks, Chalk; or Wood; And that they, and all Carts with Hay, or Corn in the Straw, at Hay-time, or Harvest, Ploughs, Harrows, and other Implements of Husbandry, and all other things whatsoever employed in the Husbanding, Stocking, and Manuring of their several and respective Lands in the said several and respective Parishes, shall pass to and fro through the said respective places where such Toll is to be received as aforesaid, without paying any thing for their

their respective passing through the same: Any thing in this present Act to the contrary thereof in any wise notwithstanding.

Prohibited also, And be it Enacted, That if it shall happen that at the end and expiration of the term of the Eleven years aforesaid, that the Receiver or Receivers, Collector or Collectors then in being, or any of them, of the aforesaid Tolls, or any part thereof, in all and every of the said Counties, made and to be made, shall upon their or any of their accounts, made and to be made for the several and respective Receipts of the Tolls aforesaid, have any sum or sums of money in their or any of their hands, more then they or any of them have expended as aforesaid, That then such Receiver and Receivers, Collector and Collectors, and every of them, shall bring in all and every sum and sums of money so remaining in their or any of their hands, unto the Justices of the Peace of the said several and respective Counties, where such Receiver or Receivers, Collector or Collectors shall live, or have received the said several sum or sums, at the next General Quarter-Sessions for the Peace which shall happen to be after their said several Accounts so to be made as aforesaid, upon pain of forfeiting double the sum which shall be in their or any of their hands upon the said Account, which said sum and penalties shall be recovered by distress and sale of the parties Goods so refusing to do the same, by Warrant under the hands and seals of any two Justices of the Peace of the said several Counties; And that the said Justices of the Peace at their said several Quarter-Sessions in their several Counties, are hereby impowered and enabled to dispose of the said several sum and sums of money, and all the said Penalties into the hands of such person and persons, and upon such Securities as they shall approve of, to and for a Stock for the repairing of the said several High-ways, according to the intent and meaning of this Act, and not otherwise.

The Collectors shall account after the eleven years.

Penalty of not accounting.

The overplus to be kept for a Stock to the same purpose.

Justices of Huntington may name another place at which to receive the Toll.

Prohibited also, And be it Enacted by the Authority aforesaid, That if the Justices of the Peace for the County of Huntington, or any four of them dwelling next to the said High Road, shall adjudge some other place more convenient then Stilton for receiving the Toll for the said County, That then it shall and may be lawful for the said Justices of Peace as aforesaid, to appoint some other place upon the High Road within their said County, to receive the aforesaid Toll instead of Stilton: Any thing in this Act to the contrary notwithstanding.

Souldiers and Post-riders pass Toll free.

And that it shall and may be lawful for all and every Souldier and Souldiers upon their March, and all persons riding Post, to pass through any the places in this Act mentioned, without paying any Toll.

Prohibited also, That if at any time before the expiration of the Eleven years aforesaid, the said High-ways shall be well and sufficiently amended and repaired, and so adjudged by the Justices of the Peace at the Quarter-Sessions for their several and respective Counties aforesaid, That then from and after such Adjudication made, and Re-payment of such moneys as shall have been borrowed, the aforesaid Toll in the said County shall cease and determine: Any thing aforesaid to the contrary notwithstanding.

If the ways be well repaired before eleven years, then the Toll to cease.

## C A P. II.

An Act for the Punishment of unlawful Cutting or Stealing, or Spoiling of Wood, and Underwood, and Destroyers of young Timber-Trees.

Whereas in one Act of Parliament made in the Thre and fourtieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to avoid and prevent divers Misdemeanors in idle and lewd persons, among other things it is Enacted, That all and every such lewd person and persons that shall cut or spoil any Woods, or Under-woods, Poles, or Trees standing, and their Procurer or Procurers, Receiver or Receivers knowing the same, and being thereof lawfully Condicted by his or their own confession, or by the testimony of one sufficient Witness, upon Oath before

Recital of a Branch of the Stat. of 43 Eliz.



some one Justice of Peace, or other Head-Officer of the County or place where such Offence was committed, shall give the party or parties satisfaction for his or their Damages for the first fault, And if such Offender or Offenders shall by such Justice of Peace or Head-Officer be thought not able or sufficient, or if such Offender or Offenders do not make such satisfaction as aforesaid, That then the said Justice of Peace, or Head-Officer shall commit the said Offender or Offenders to the Constable, or other inferior Officer, to receive the punishment of Whipping; as in the said Act more fully doth appear.

Grievances.

Anyone may apprehend Stealers of Wood, Gates, Trees, Bark, &c.

Suspected persons houses searched.

Persons suspected shall make appear how they came by the Wood.

And whereas it is found by daily experience, especially in and about London, and other great Towns where a great number of such idle and lewd persons do shelter themselves, that this Act hath not sufficiently prevented the said mischief of cutting and spoiling Woods and Under-woods, as was intended, as well because the said Offences are committed in such a close and clandestine manner, that there is none Witness to them, but such as are partakers to the Offence; as also because the said punishment is too small for so great a fault, which is not only prejudicial and hurtful to the Owners of the said Woods, but very mischievous and damageable to the Common-wealth: Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Four and twentieth day of June next ensuing, every Constable, Headborough, or any other person in every County, City, Town-Corporate, or other place where they shall be Officers or Inhabitants, shall and may by virtue of this present Act have full power and Authority to apprehend, or cause to be apprehended all and every person or persons they shall suspect having, or carrying, or any ways conveying any burden or bundles of any kinde of Wood, Under-wood, Poles, or young Trees, or Bark, or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze; and by Warrant under the hand and seal of any one Justice of the Peace directed to any Officer, such Officer shall have power to enter into, and search the Houses, Out-houses, Yards, Gardens, or other places belonging to the Houses of all and every person or persons they shall suspect to have any kinde of Wood, Under-wood, Poles or young Trees, or Bark, or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze; and wheresoever they find any such, to apprehend, or cause to be apprehended all and every person and persons suspected for the cutting and taking of the same, and them, and every of them, as well those apprehended carrying, or any ways conveying any kind of Wood, Under-wood, Poles, or young Trees, or Bark, or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze; as also those in whose houses or other places belonging to them, any such Wood, Under-wood, Poles, or young Trees, or Bark, or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze shall be found, to carry before one Justice of the Peace of the same County, City, or Town-Corporate; And if the said person or persons so suspected, apprehended, and carried before the said Justice, do not then and there give a good account how he and they came by such Wood, or Under-wood, Poles, or young Trees, or Bark, or Bast of any Trees, or Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze by the consent of the Owner, such as shall satisfy the said Justice, or else shall not within some convenient time to be set them by the said Justice, produce the party or parties of whom they bought the same Wood, Under-wood, Poles, or young Trees, or Bark, or Bast of Trees, Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom or Furze, or some other credible Witness to depose upon Oath such sale of the said Wood, Under-wood, Poles, or young Trees, or Bark, or Bast of Trees, Gates, Stiles, Posts, Pales, Rails,

Rails, or Hedge-wood, Broom, or Furze, (which hath the said Justice hath hereby power to Administer) That then the said person or persons so suspected, and not giving such good account, nor producing any such Witness upon Oath to testify the said Sale as aforesaid, shall be deemed and adjudged as convicted of the said Offence of cutting and spoiling of the same Woods, Under-woods, Poles, or young Trees, or Bark, or Bass of Trees, Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom or Furze, within the meaning of the said Statute of Queen Elizabeth, and shall be liable to the punishment therein contained, and to such other proceedings and punishments as by this present Act shall be further constituted and appointed on that behalf.

Penalty referred to the Stat. 43 Eliz.

Conviction. 1

And be it therefore Enacted by the Authority aforesaid, That all and every person or persons convicted of the said Offence in manner and form before in this Act mentioned, shall for the first Offence give the Owner or Owners such recompence or satisfaction for his or their damages, and within such time as the said Justice shall appoint, and over and above pay down presently unto the Overseers, for the use of the Poor of the Parish where the said Offence or Offences were committed, such sum of money (not exceeding Ten shillings) as the said Justice shall think meet; and if such Offender or Offenders do not make recompence or satisfaction to the said Owner or Owners, and also pay the said sum to the Poor in manner and form aforesaid, then the said Justice shall commit the said Offender or Offenders to the house of Correction for such time as the said Justice shall think fit, not exceeding One moneth, or to be whipped by the Constable, or other Officer, as in his Judgment shall seem expedient: And if such person or persons shall again commit the said Offence, and be thereof convicted as before, that then they and every of them so offending the second time, and thereof so convicted, shall be sent to the house of Correction for One moneth, and be there kept to hard labour. And if such person or persons shall again commit the said Offence, and be thereof convicted as before, That then they and every of them so offending the third time, and thereof so convicted, shall be taken, adjudged, and deemed as Incurable Rogues.

First Offence.

Second Offence.

Provided always, And it is further Enacted by the Authority aforesaid, That whosoever shall buy any Burdens of Wood, or any Poles or Sticks of Wood, or any other the Premises particularly mentioned in this Bill, which may be justly suspected to have been stolen, or unlawfully come by, That it shall and may be lawful to and for the said Justices of the Peace, Mayors, Bayliffs, and Head-Officers, or any one of them within their respective Jurisdictions, upon complaint to them thereof made, to examine the said matter upon Oath, which they and every of them respectively are hereby Authorized to Administer: And if they shall finde that the same was bought of a person who might justly be suspected to have stolen or unlawfully come by the same, and that the same was stolen, or unlawfully come by, That in such case the said Justices of Peace, Mayors, Bayliffs, or other Head-Officers, or any one of them respectively, shall and may award the party who bought the same, to pay treble the value of the same to the party from whom the same was stolen, or unlawfully taken: And in default of present payment thereof, to issue forth their respective Warrants to levy the same by distress and sale of the Offenders Goods, rendering the overplus to the party: And in default of such Distress, to commit the party to the Gaol at his own charge, there to remain One moneth without Bail.

Buyers of stolen wood punished.

Provided always, That no person or persons shall be questioned for any Offence upon this Law, that hath been punished for the same Offence by any former Law, nor shall be punished by this Law, unless he be questioned within Six weeks after the Offence committed.

None twice punished. The Offenders must be prosecuted within six weeks.



## C A P. III.

An Act to explain and supply a former Act for distribution of Threescore thousand pounds amongst the truly Loyal and Indigent Commission-Officers, and for Assessing of Offices, and distributing the Moneys thereby raised, for their further supply

Anno 14. Car.  
2. Cap. 8.

**V**hereas his Majesty hath been graciously pleased (in and by an Act, Entituled, An Act for distribution of Threescore thousand pounds amongst the truly Loyal and Indigent Commission-Officers, and for Assessing of Offices, and distributing the Moneys thereby raised for their further supply) to Enact and appoint the said Sum of Threescore thousand pounds, together with the Proceed of the said Assessment of Offices, to be distributed as herein after is expressed; That is to say, amongst such truly Loyal and Indigent Officers who have had a real Command of Souldiers, according to their several Commissions, and who have never deserted his Majesty, nor his blessed Fathers Service, during the late times of Rebellion and Usurpation, and who have not a sufficient Libelihood of their own, nor have since his Majesty's Return obtained any Reward, Office, or Employment sufficient for a Libelihood: For the better clearing and preventing of doubts, and avoiding frauds in the Execution of the said Act, It is thought fit to prescribe certain Directions whereby to proceed.

Be it therefore Declared and Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, That the Commissioners appointed by and in the said Act, shall proceed and act according to the Rules hereafter following.

What Officers  
reputed to be  
within the for-  
mer Act.

First, The Officers allowed by the said Act to have a real Command of Souldiers, are these following, and no other, viz. Colonels, Adjutant-Generals, Quarter-Master-Generals, Scout-Master-Generals, Commissary-Generals, Lieutenant-Colonels, Majors, Captains, Lieutenants, Cornets, Ensigns, Quarter-Masters.

Secondly, Each Colonel of Horse, if he had a Regiment of Horse, consisting of the number of One hundred and fifty; each Captain of Horse, if he had a Troop of Horse consisting of the number of Thirty: each Colonel of Foot, if he had a Regiment of Foot, consisting of the number of Three hundred; each Captain of Foot, if he had a Company of Foot, consisting of the number of Forty; each Colonel of Dragoons, if he had a Regiment of Dragoons, consisting of the number of Two hundred; each Captain of Dragoons, if he had a Company of Dragoons, consisting of the number of Thirty.

Who shall be  
accounted truly  
Loyal.

Thirdly, Those Officers shall be accounted truly Loyal, and not to have deserted, who have faithfully served his late Majesty of blessed memory, and continued Loyal to the King that now is, and did not withdraw themselves from the said Service without sufficient cause, to be allowed by the said Commissioners.

Who Indigent.

Fourthly, No person shall be deemed Indigent, who hath either of his own, or by his Majesty's Gift or otherwise, such an Estate or Income, as the said Commissioners shall adjudge to be a sufficient Libelihood.

Relief for lost  
or invalid Cer-  
tificates.

Fifthly, If upon Examination by the said Commissioners, it shall be found that any Certificates have been lost, or that any of the said Certificates are invalid, because not Signed at a Publick Meeting; That then and in such cases, it shall be lawful for the Commissioners aforesaid, or any Nine or more of them then sitting in the Star-Chamber, by vertue of the said Act, to give relief to the parties concerned. And the said Commissioners shall be likewise hereby impowred to meet and adjourn de die in diem, any thing in the Act before mentioned to the contrary hereof notwithstanding.

Adjournment  
of the Court.  
Void or suspect-  
ed Certificates  
tried.

Sixthly, if the said Commissioners sitting in the Star-Chamber, as aforesaid,

said, or any Nine or more of them, or the Commissioners of the respective Counties and places, or any Three or more of them, shall reasonably suspect that any Certificates have been unduly procured, or that they are otherwise insufficient, The said respective Commissioners shall have power to examine Witnesses upon Oath (which said Oath they are hereby Authorized to administer) And the said Commissioners of the Star-Chamber shall transmit the Exceptions there taken against such Certificates, together with the Names of the persons excepting thereunto, unto the Commissioners of the respective Counties and places, or to any Three or more of them, to be by them jointly reviewed and examined, either by depositions taken before them upon Oath (which Oath they are hereby impowered to administer) or otherwise, and their Opinions thereupon: As also upon any of their former Certificates which shall be excepted against before them, to be forthwith returned to the said Commissioners sitting in the Star-Chamber, and the same to be conclusive.

Provided also, And be it further Enacted by the Authority aforesaid, That no exception shall be taken or admitted to any Certificate from and after the First day of October next ensuing: And also, that all returns of Reviews and Opinions thereupon shall be made in writing under the hands and seals of the respective Commissioners, before the First day of November next ensuing.

No exception to any Certificate after October next.

And it is hereby further Declared and Enacted by the Authority aforesaid, That all moneys to be paid and distributed by this, or the said recited Act, shall be paid and distributed to the respective persons qualified to receive the same, before the Four and twentieth day of December next ensuing. Provided always, That nothing either in the Act before mentioned, or in this present Act contained, shall extend or be construed to extend to the harm or prejudice of Edward Roscarrock Colonel of Horse, Guy Molesworth Colonel of Horse, Edward Molesworth Colonel of Foot, John Low Lieutenant-Colonel of Horse to Colonel John Stuart, Captain John Forsyth Captain of Horse, Matthew Carew Captain of Foot in the Regiment of Sir Matthew Carew, Walter Braems Captain of Horse in the Regiment of Colonel Robert Hatton, Thomas Gleadstone Captain of Foot in the Regiment of Colonel John Scroope, to deprive them or any of them of the benefit of the Act aforesaid, by reason that their, or any of their Certificates were not Entered within the time appointed by the said Act; but that all and every of the said persons herein before mentioned, who shall at any time hereafter before the Sixteenth day of August next, deliver in their respective Certificates, attested under the hands and seals of five Commissioners, to the Register appointed by the said Commissioners sitting in the Star-Chamber, for receiving of the same; are hereby declared, and shall be deemed and taken to have as good right to the benefit of the said Act, as if their such Certificates had been respectively entered and admitted within the time limited as aforesaid; Any thing in the said Act to the contrary hereof in any wise notwithstanding.

The money shall be paid to the Officers before the 20th of December next.

Certain Officers have further time to enter their Certificates.

#### C A P. IV.

An Additional Act for the better Ordering the Forces in the several Counties of this Kingdom.

For the better Ordering of the Forces in the several Counties and places of England, and the Dominions of Wales, and Town of Berwick upon Tweed, and for the supplying and explaining the late Act, Entituled, An Act for Ordering the Forces in the several Counties of this Kingdom, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the several Lieutenants of the several Counties, Cities and places nominated by His Majesty,

Stat. 14. Car. 2. Cap. 3.

How and by whom Soldiers shall be exercised.

jeſty,



jesty, his heirs and Successors respectively, and in their absence out of the limits of their respective Lieutenancies, or by their directions when they are not absent, their Deputy-Lieutenants during their respective Deputation, or any two or more of them shall have power from time to time, to Lead, Train, Exercise, and put in readyness, or by Warrant under their Hands and Seals, to cause to be Led, Trained, Exercised, or put in readyness, all or any of the persons, Raised, Arrayed, or Weaponed, according to the said Act, to the intents and purposes, and by the directions of the said Act, and of this present Act.

How much  
Souldiers ser-  
ving for others  
shall be paid.

And be it further Enacted, That all and every person or persons, charged, or to be charged by vertue of either of the said Acts, with Horse, Horse-man and Arms, or Foot-Souldier and Arms, shall under the penalty of forfeiting five shillings, pay and allow upon demand, Two shillings six pence by the day, to each respective Trooper that serves with such Horse and Arms, for maintenance of the Man and Horse; and shall under the penalty of Two shillings, pay and allow upon demand, One shilling by the day to each respective Foot-Souldier, for so many days as they or any of them shall be absent from their Dwellings or Callings by occasion of Muster or Exercise, according to the Rules of the said Acts: which said penalty is to be levied, as is hereafter expressed, unless some certain agreement be made to the contrary before good Witnesse; and the said penalty is to be paid to such Trooper or Foot-Souldier, to whom his said pay was denied; The respective penalties to be demanded within Six weeks after each respective default, or at or before the next succeeding Muster, Exercise, or Training, and not afterwards.

The penalty to  
be demanded  
within six  
weeks.

Penalty for not  
providing  
Arms and  
Men.

And be it further Enacted, That if any person or persons assailed or charged according to the said Acts, or either of them, shall refuse or neglect by a reasonable time to be appointed, to provide and furnish such sufficient Foot-Souldier and Arms, or Foot-Souldiers and Arms, as are accordingly charged upon him or them, That then it shall and may be lawful to and for the respective Lieutenants and Deputy-Lieutenants, or any three or more of them, for every such Offence from time to time to inflict a penalty upon such person or persons, not exceeding five pounds, to be levied in manner following, and to be employed to the same uses in default whereof the same was imposed.

The Lieute-  
nants and their  
Deputies may  
cause Souldiers  
to be raised for  
personal E-  
states.

Be it further Enacted, That it shall and may be lawful for the respective Lieutenants and Deputy-Lieutenants, or any three or more of them, from time to time, to appoint and require the Constable or Constables of any Parish or place within this Kingdom, Dominion of Wales, and Town of Barwick upon Twede, to provide and furnish (at a reasonable time and place to be appointed) upon a penalty to be imposed, not exceeding Forty shillings for every such Omillion) so many sufficient Foot-Arms (with Wagges and other incident charges) as the said Lieutenants and Deputy-Lieutenants, or any three or more of them shall assesse or charge according to the Rules and Proportions of the said Acts, upon Revenues under fifty pounds per annum, or upon personal Estates lesse then Six hundred pounds, lying or being within any such respective Parish or place.

Penalty for  
neglect to pro-  
vide a Souldier  
accordingly.

And in order thereunto, if any person or persons of, or belonging to any such Parish or place, shall upon demand refuse or neglect to provide a Foot-Souldier or Foot-Souldiers, according to the proportion aforesaid, or to pay any sum of money whereat he or they shall be taxed or assailed by a Pound Rate, according to a List Signed by the respective Lieutenants and Deputy-Lieutenants, or any three or more of them, for and towards the defraying and satisfying the necessary Charge and Expence disbursed in providing and furnishing such sufficient Arms as aforesaid, That then it shall and may be lawful to and for such Constable or Constables, by Warrant for that purpose, to Levy such Sum so Rated or Assailed by Distresse and Sale of the Goods

Goods of such person or persons so refusing or neglecting to pay, and shall restore the overplus, (if any) the charge of Distraining being first deducted: And the Tenant of any House, Land, or Revenue, Rated or Assessed as aforesaid, is hereby authorized and required to make payment of such Sum of money so Rated or Assessed, and to deduct so much as shall be charged upon the Landlords Rent, out of the next Rent payable to the Landlord, and in default hereof, the Goods of every such Tenant is also liable to be Distrained and Sold in manner aforesaid.

And be it further Enacted, That once in every year hereafter, each Soldier Listed or Railed by vertue of the said Act, or either of them, shall pay to his respective Muster-Master such Sum (not exceeding One shilling for a Horseman, and Six pence for a Foot-man) as the respective Lieutenants, and Deputy-Lieutenants, or any Three or more of them shall under their Hands and Seals direct; who have power hereby to Levy the same by Distress and Sale in case of default of payment, upon the Goods and Chattels of such person or persons as are charged with the finding of the respective Horse-man or Foot-Soldier so making default, unless the default be by the neglect of such Horse-man or Foot-Soldier, who in that case are hereby to be accountable for the same; and every such Muster-Master shall be an Inhabitant of the respective County.

Each Soldier shall pay a yearly Salary to the Muster-Master.

Muster-Master, who.

And it is hereby further Provided and Enacted, That at every Muster, Training and Exercise, every Musquetier shall bring with him half a pound of Powder, and half a pound of Bullets, and every Musquetier that serves with a Hatch-lock, shall bring with him three yards of Hatch, both which are to be found accordingly at the charge of such person or persons as provide the said Foot-Soldier and Arms; And every Horse-man is to bring with him a quarter of a pound of Powder, and a quarter of a pound of Bullets, at the charge of such person or persons as provide the said Horse-man and Arms, who are hereby required to finde and bear the same, upon pain of forfeiting five shillings for every omission thereof.

Soldiers at every Muster must bring Ammunition.

And for the better Disciplining and Instrueting the said Militia in their Duties, as also for easing them of often and frequent Meetings at several times, and for the better security of the Peace of the Kingdom, Be it further Enacted, That it shall and may be lawful for the said several Lieutenants, and in their absence, or by their Directions, or any two or more of their Deputies within their respective Counties and Precincts for which they are Commissioned, at any time or times, during the space of three years, from the Twenty fourth day of July, in the year of our Lord One thousand six hundred sixty and three, to Summon and continue together so many of the said Trained Forces within their respective Counties and Precincts, and so long as they shall judge convenient, in lieu of certain days appointed for Exercise and Musters by the said Act, Entituled, An Act for Ordering the Forces in the several Counties of this Kingdom.

The Lieutenants, &c. may keep the Soldiers together some days, in lieu of meeting at several days.

Provided always, And be it Enacted, That any Troop, Company, or Soldiers, may be so kept upon such Duty by vertue hereof Fourteen days, and no longer in any one year.

Yet but 14 days in one year.

Provided always, And be it Enacted, That every Commissioned Foot-Officer in the Train-Bands, or Militia of this Kingdom (settled according to Act of Parliament) shall be and is hereby exempted and excused from finding and contributing towards the finding any Horse, Horse-man, or Arms, or Foot-Soldier and Arms for his whole Estate, if at any time it is charged, but with one Horse, or a lesse charge, or for such part of his Estate as is, or shall be charged with one Horse, if his whole Estate be charged with a greater charge then one Horse in the County or Lieutenancy where he so serves as a Foot-Officer, in respect of the expence which the said Employment doth necessarily engage him in; any thing in the said Act to the contrary notwithstanding.

Foot-Officers shall finde no Soldiers nor Arms.

We



Constables,  
&c. shall levy  
money for the  
Trained Bands.

Be it also Enacted and Ordained, That each Constable, Tything-man, or other Officer of any Parish or place, under the penalty for every neglect of forfeiting Fourty shillings, shall, and do, by vertue of a Warrant directed to him from the respective Lieutenants, and Deputy-Lieutenants, or any three or more of them, Levy all arrears and proportions of money unpaid, that were set or charged for the Raising, Training, and Araying the Trained Bands and Forces, actually raised and in being before the passing of the said mentioned Act, by the Distresse and Sale of the Goods of any person or persons refusing to pay the same, rendring back the oberplus (if any) the charge of Distresse and Sale being first deducted.

Souldiers raised  
by this Act  
must be subject  
to the same du-  
ty, as those  
raised by the  
other Act.

Be it also Enacted, That every Trooper or Foot-Souldier at any time raised by vertue, or according to the Directions of this present Act, shall be subject to such Exercise and Duty, as others charged or raised by the said mentioned Act, and shall accordingly upon like pains and penalties, observe and keep all the respective Orders and Directions of the said Act, and of this present Act, and shall suffer the same penalties for committing any of the respective Crimes and Offences exprest in the said Act; which said pains and penalties are in the like cases to be imposed and levied in the same manner, and by the same ways and means as are set down in the said Act.

Lieutenants  
impowred to  
pay under Of-  
ficers.

And whereas the Fourth part of one Boneths Assessment in each County, after the Rate of Sebenty thousand pounds by the Boneth, is by the said Act yearly appointed for furnishing Munition, and other necessities; Be it Enacted and Declared by the Authority aforesaid, That the said respective Lieutenants and Deputies, or any three or more of them, shall from time to time have power to dispose of so much of the said Fourth part to the inferior Officers employed in or about the said respective Forces, for their pains and encouragement, as to them the said Lieutenants and Deputies, or any three or more of them shall seem expedient.

Officers sued  
may plead the  
general Issue,  
and recover  
double Costs.

Provided always, and be it Enacted, That it shall be lawful to every person and persons that shall have any Action or Suit brought against him or them, for any thing done in execution of this or the said Act, to plead the general Issue, and to give the special matter in Evidence; and if Judgment shall be given for the Defendant, or if the Plaintiff shall become Non-suit, or discontinue his Suit, then he shall recover double Costs.

Actions laid in  
the proper  
County.

Provided also, and it is Enacted, That no Action or Suit shall be brought against any person for any thing done in execution, or by pretence of the execution of this or the said Act, unless the said Action or Suit be laid in the proper County, and Commenced within six Boneths, next after such cause of Action.

Stat. 13 Car. 2.  
Cap. 6. A  
Clause therein  
enlarged.

Provided, and be it further Enacted by the Authority aforesaid, That one Clause, contained in a certain Act, Entituled, (An Act declaring the sole Right of the Militia to be in the King, and for the present Ordering and disposing of the same;) and made for the Indemnifying of all persons acting in the Militia, from the Four and twentieth of June, One thousand six hundred and sixty, to the Twentieth of July, One thousand six hundred sixty and one, as touching the Assaulting, Detaining, or Imprisoning any person suspected to be a Fanatick, Sectary, or Disturber of the Peace, or seising of Arms, or searching of houses for Arms, or for suspected persons, shall be construed to Commence and take effect, and shall be good and effectual in Law for the Indemnifying of all persons whatsoever, acting in the Militia of this Kingdom, for any the matters aforesaid, betwixt the second day of February, One thousand six hundred sixty nine, and the Four and twentieth of June, One thousand six hundred and sixty inclusive, by vertue or colour of any Authority or Command whatsoever; Any thing in the said Act, or in any other Act to the contrary thereof in any wise notwithstanding.

Penalties le-  
vied.

And be it further Enacted by the Authority aforesaid, That the several Forfeitures, Penalties, and Payments by this present Act imploed, Set,  
or

or Directed (not otherwise by this present Act provided to be Levied, Sued for, or Recovered) shall, or may, in case of Default, be Levied or Recovered, by Warrant under the Hands and Seals of the respective Lieutenants and Deputy-Lieutenants, or any three or more of them, upon the Goods and Chattels of the Offender, and by Sale of the same, rendring the party the overplus, if any be; And if sufficient of the Goods and Chattels of such Offender cannot be found or had, whereof to Levy such Forfeiture, Payment, or Penalty, then the said respective Lieutenants and Deputy-Lieutenants, or any three or more of them shall have Power, and are hereby Authorized by like Warrant under their Hands and Seals, to commit such Offender to Prison until he shall make satisfaction according to the said Forfeiture, Payment, or Penalty.

And it is further Declared and Enacted, That all and every person and persons which since the five and twentieth day of March, One thousand six hundred sixty and two, have acted or done any thing in the dismantling of any Cities or Towns, or demolishing of Walls and Fortifications thereof, or relating thereunto, shall be, and are hereby indemnified and saved harmless.

Those who demolished Forts and Walls indemnified.

And whereas some Doubt hath arisen upon the said Act, what Estates shall be charged with, or toward Foot: Be it therefore Enacted and Declared by the Authority aforesaid, That no person who hath any Estate of the yearly value of Two hundred pounds, or Personal Estate of the value of Two thousand four hundred pounds, chargeable by the said Act, shall be charged with or toward the finding any Foot; And it shall be lawful for the respective Lieutenants and Deputies, or any three or more of them to charge according to the Proportions in the said Act, any person who hath an Estate of the yearly value of One hundred pounds, and under the yearly value of Two hundred pounds, or who hath a Personal Estate of Twelve hundred pounds, and under the value of Two thousand four hundred pounds, chargeable by the said Act, with, or toward the finding of Foot, or toward the finding of Horse; as to their judgment shall seem most expedient for His Majesty's service. Yet nevertheless, this shall not be construed to extend to make any alteration in the Provisions in the said, or this Act, concerning the Forces to be charged or raised in Cities, Corporations, and Port-Towns.

What Estates chargeable to finde Foot-Soldiers.

Provided always, and be it Enacted by the Authority aforesaid, That the Lord Warden of the Cinque-Ports to ancient Towns, and their Members, and in his absence his Lieutenant or Lieutenants, shall and may put in execution within the said Ports, Towns, and Members, all the Powers and Authorities given and granted by this, and the said former Act, and to execute and perform all and every the things therein contained in the like manner, as the respective Lieutenants of the Counties, and their Deputies may do, and may keep up and continue the usual numbers of Soldiers in the said Ports, Towns, and Members, unless they finde cause to lessen the same: And that the Inhabitants of the said Ports, Towns, and Members, being in regard of their situation on the Sea-coasts charged with a greater proportion of Arms and Armed-men, then other parts of the Kingdom, shall not be charged with Arms or Armed-men in the Counties adjacent for their Estates there lying, save onely for such proportion as they are liable unto, and either are not, or shall not be charged with within the said Ports, Towns, and Members; Any thing in this Act contained to the contrary in any wise notwithstanding.

Warden of Cinque-Ports is a Deputy-Lieutenant.

Provided always, and be it Enacted by the Authority aforesaid, That the Inhabitants and Revenues of, or in the Parish of Saint Martin, called

Part of Stamford Town to serve to Lincolnshire.

Stamford

C



Stamford Baron, in the Suburbs of the Borough and Town of Stamford, on the South-side of the Waters there called Welland, may be assessed and charged to finde and serbe in the Trained Bands of the County of Lincoln as formerly, according to the said mentioned Act, and this present Act, by the Lieutenant and Deputy-Lieutenants for the County of Lincoln for the time being, in such manner as any Persons or Estates within the said County of Lincoln may be by them assessed and charged to the purposes aforesaid: And they of Saint Martin aforesaid, are hereby declared to be well and legally assessed and charged by the said Lieutenant, and Deputy-Lieutenants respectively.

## CAP. V.

An Act for Regulating Select Vestries.

**F**or prevention of the evils which may arise from Vestry-men, not conforming to the Government and Discipline of the Church of England, as it now is by Law established;

All Vestry-men  
to make Sub-  
scription.

Be it Enacted by the Kings most Excellent Majesty, by the advice and with the consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, That all and every person, who now is a Vestry-man or member of any Vestry within any Parish in the Cities of London and Westminster, Borough of Southwark, and weekly Bills of Mortality, and in all other Cities, Boroughs, and Towns Corporate, where Select Vestries are used, in the Kingdom of England, on or before the Nine and twentieth day of September next; And all and every person, who at any time hereafter shall be elected to be a Vestry-man, or member of any Vestry within any Parish in any the places aforesaid, within one moneth after such his Election, shall before the respective Archbishop, Bishop, or Ordinary, Vicar-General, or Chancellor of the Diocese, make and subscribe the Declaration and Acknowledgment enjoined in the late wholesome good Act, Entituled, (An Act for the Uniformity of Publick Prayers, and Administration of Sacraments, and other Rites and Ceremonies, and for establishing the Form of Making, Ordaining and Consecrating Bishops, Priests, and Deacons in the Church of England) in these words following;

14 Car. 2. cap.  
4.

The Form of  
the Subscription.

**I** A. B. do declare, That it is not lawful upon any pretence whatsoever to take Arms against the King, and that I do abhor that Traiterous Position of taking Arms by His Authority against His Person, or against those that are Commissioned by Him; And that I will conform to the Liturgy of the Church of England, as it is now by Law established. And I do declare, That I do hold, there lies no Obligation upon me, or on any other person, from the Oath commonly called, *The Solemn League and Covenant*, to endeavor any change or alteration of Government, either in Church or State: And that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm, against the known Laws and Liberties of this Kingdom.

Vestry-man re-  
fusing, loseth his  
place.

And a new one  
may be chosen  
in his stead.

And that all and every such person, who shall neglect or refuse to do the same within the respective times aforesaid, shall (ipso facto) be deprived of such his place of Vestry-man, and of being a Member of such Vestry, to all intents and purposes, And such place shall be actually void, as if such person were naturally dead; Any Usage or Custom to the contrary notwithstanding: And that from and after such neglect or refusal, it shall be lawful for all persons, who shall have right of Election or Nomination of such Vestry-man, or Member of such Vestry, to proceed to Election or Nomination of some other discreet person of the respective Parish, in the room of such person so neglecting or refusing as aforesaid. And if such person so to be elected in the room of such person so neglecting or refusing as aforesaid, shall also neglect or refuse to make and subscribe the said Declaration and Acknowledgment in manner and

and time aforesaid, whereby such plate shall again become void; or if such persons who shall have right of Election or Nomination as aforesaid, shall not proceed to Election within one moneth after such Vacancy; then it shall be lawful to and for the respective Archbishop, Bishop, or Ordinary of the Diocese, under his Hand and Seal, to elect and nominate a discreet person of the respective Parish in such vacant room; which person so to be elected and nominated, after his making, and subscription in manner and time aforesaid, shall be, and shall to all intents and purposes, be reputed, deemed, and taken to be a Vestry-man, or member of such Vestry, in like manner, as if he had been chosen by the respective Electors; Any Law, Custom, or Usage to the contrary notwithstanding.

Bishop of the Diocese may elect one.

And be it Enacted by the Authority aforesaid, That the respective Archbishop, Bishop, or Ordinary, Vicar General or Chancelor of the Diocese, shall upon request to him made by any Vestry-man, to making and subscribing the said Declaration and Acknowledgment aforesaid, deliver a Certificate of his so doing, for which, no Fee shall be paid.

Certificate of Subscription.

Provided always, That nothing in this Act shall be construed to give any new power to any Select Vestry-man, or to confirm any usurped power, heretofore exercised by any Select Vestry-man, which before the making of this Act, is not warranted by the Law of the Land.

This Act not to create any new Select Vestry.

Provided also, That this Act shall continue in force to the end of the first Session of the next Parliament, and no longer.

This Act to continue.

#### CAP. VI.

An Act for Relief of such Persons, as by sickness, or other Impediment were disabled from subscribing the Declaration in the Act of Uniformity, and Explanation of part of the said Act.

**V**hereas by an Act of this present Parliament, Entituled, An Act for Uniformity of Publick Prayer and Administration of the Sacraments, and other Rites and Ceremonies, and for establishing the Form of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons, in the Church of England, It was Enacted, That every Dean, Canon, or Prebendary of every Cathedral or Collegiate Church, and all Masters and Fellows of any Colledge, Hall, House of Learning, or Hospital, and every Parson, Vicar, Curate, and every other person in holy Orders, who upon the first day of May, which should be in the year of our Lord God, One thousand six hundred sixty and two, or at any time thereafter should be Incumbent, or have possession of any Deanry, Canonry, Prebend, Mastership, Fellowship, Parsonage, Vicarage, or any other Ecclesiastical Dignity or Promotion, should before the Feast day of Saint Bartholomew, which should be in the Year of our Lord, One thousand six hundred sixty and two, subscribe the Declaration or Acknowledgment in the said Act mentioned and expressed, before their respective Archbishops, Bishops, Ordinaries, or Vice-Chancellors of the respective Universities; upon pain, that all and every of the persons aforesaid, failing in such Subscription, should lose and forfeit such respective Deanry, Canonry, Prebend, Mastership, Fellowship, Parsonage, Vicarage, Ecclesiastical Dignity or Promotion, and should be utterly disabled, and ipso facto deprived of the same: And that every such respective Deanry, Canonry, Prebend, Mastership, Fellowship, Parsonage, Vicarage, Ecclesiastical Dignity or Promotion should be Void, as if such person so failing were naturally dead. And that after such Subscription made, every such Parson, Vicar, Curate and Lecturer, should procure a Certificate under the Hand and Seal of the respective Archbishop, Bishop, or Ordinary of the Diocese, and should publicly and openly read the same, together with the Declaration or Acknowledgment aforesaid, upon some Lords-day within three moneths then next following, in his Parish Church where he was to officiate, in the presence of the Congregation there assembled in the time of Divine Service; upon pain that

14 Car. 2. cap. 4.

Recital thereof.



every person failing therein, should lose such Parsonage, Vicarage, or Benefice respectively, and should be utterly disabled, and Ipso facto deprived of the same; And that the said Parsonage, Vicarage, or Benefice should be void, as if he were naturally Dead.

Grievance.

And whereas divers persons of Eminent Loyalty to his Majesty, and of known affection to the Liturgy of the Church of England, who by the said Act were required to subscribe the said Declaration or Acknowledgment, at the time of the passing of the said Act were out of this Realm, in Ireland, or other parts beyond the Seas upon lawful and justifiable Occasions, and had no knowledge or notice thereof until their return into England, being after the said Feast of St. Bartholomew; and divers others of the said Loyal and well-affected persons, by reason of sickness, imprisonment, disability of body, or otherwise, could not, or did not resort unto their respective Archbishops, Bishops, or Ordinaries, or Vice-Chancellors of the respective Universities, before whom such Subscription was appointed by the said Act to be made: All which said persons are by force of the said Act utterly disabled, and Ipso facto deprived of their respective Deanries, Canonries, Prebendries, Pastorships, Fellowships, Parsonages, Vicarages, or other Ecclesiastical Benefices or Promotions, by reason of such their omission:

Further time given to Ecclesiastical Persons being sick, in Prison, or beyond Seas, to subscribe to Uniformity.

For remedy whereof, and for the relief of such persons, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by Authority of the same, That all Deans, Canons, Prebendaries, Pastors, and Fellows of any Colleges, Halls, or other Houses of Learning; and all Parsons, Vicars, and other Ecclesiastical persons aforesaid, who at the time of the passing of the said Act being in Ireland, or any the parts beyond the Seas, did not return into this Kingdom, before the said Feast of Saint Bartholomew, One thousand six hundred sixty and two, or who being in England, by Imprisonment, Sickness, Disability of Body, or otherwise, did not resort unto their respective Archbishop, Bishop, Ordinary, or Vice-Chancellor of the said respective Universities, to subscribe the said Declaration and Acknowledgment, before the said Feast in the year of our Lord aforesaid, shall be, and are hereby declared to be restored unto, and preserved in their respective Deanries, Canonries, Prebends, Pastorships, Fellowships, Parsonages, Vicarages, and other Ecclesiastical Benefices and Promotions, whereunto no other person or persons before the first day of August, in the year of our Lord One thousand six hundred sixty and three, were or shall be lawfully Instituted, Inducted, Collated, or placed: And shall and may hold and enjoy the same according to his and their former right; The aforesaid Act, or any thing therein contained to the contrary notwithstanding.

Provided, That every such Dean, Canon, Prebendary, Pastor and Fellow of any Colledge, Hall, or House of Learning, and all Parsons, Vicars, and Curates, and other Ecclesiastical persons, who are, or shall by virtue of this Act be restored to, or preserved in their said several and respective Promotions, shall before the Feast of the Nativity of our Lord next ensuing, if he be in England, or if beyond the Seas, within forty days after his return into England, subscribe the said Declaration or Acknowledgment before the respective Archbishop, Bishop, or Ordinary of the Diocese, or Vice-Chancellor aforesaid respectively; And that every such Parson, Vicar, Curate, or Lecturer, shall procure a Certificate under the Hand and Seal of the respective Archbishop, Bishop, or Ordinary of the Diocese (who are hereby required and enjoined upon demand, to make and deliver such Certificate;) And shall publickly and openly read the same, together with the Declaration or Acknowledgment aforesaid, upon some Lords day within three moneths then next following such Subscription, in his Parish Church where he is to Officiate, in the presence of the Congregation then assembled in the time of Divine Service.

And

And be it further Enacted and Declared by the Authority aforesaid, That every Subscription already made, or hereafter to be made before any Vicar General or Chancellor to any Arch-bishop, Bishop, or Commissary to the Arch-bishop of Canterbury, or any other Bishop, is and shall be as Effectual and Beneficial in Law to all intents and purposes to every person and persons which have or shall make such Subscription as aforesaid, as if the same had been made before the Arch-bishop or Bishop of the Province or Diocese respectively, Any thing in the aforesaid Act to the contrary notwithstanding.

Subscriptions made before Surrogates confirmed.

Provided also, That every person who shall have benefit by this Act, shall make such Allowance for serving the Cure, since the four and twentieth day of August, One thousand six hundred sixty two, as shall be judged fit by the Ordinary of the place, and shall pay and discharge all Tithes, Pensions, and other Charges, wherewith the Benefice to which he is by this Act restored, hath been, or might be legally Charged since the day aforesaid.

The persons relieved shall pay for serving the Cure past.

And whereas some Doubt hath risen, Whether persons prohibited to preach by the said Act, are in the same plight, as to punishment, with persons disabled by the said Act to preach: Be it Declared and Enacted by the Authority aforesaid, That the penalties by the said Act to be inflicted upon any person disabled by the said Act to preach, for any Offence against the said Act, shall in like manner be inflicted upon every person so offending, that is prohibited by the said Act to preach, Any thing, doubt, or ambiguity in the said Act to the contrary notwithstanding.

Persons prohibited to preach, alike punished as persons disabled.

## C A P. VII.

An Act for the Encouragement of Trade.

As much as the Encouraging of Tillage ought to be in an especial manner regarded and endeavoured, and the surest and effectuallest means of promoting and advancing any Trade, Occupation, or Mystery, being by rendering it profitable to the Users thereof: And great quantities of Land within this Kingdom for the present lying in a manner waste, and yielding little, which might thereby be Improved to considerable Profit and Advantage (if sufficient Encouragement were given for the laying out of Cost and Labour on the same) and thereby much more Corn produced, greater numbers of People, Horses, and Cattel employed, and other Land also rendered more Valuable;

The profit of Tillage.

Be it Enacted by the Kings most Excellent Majesty, with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority thereof: And it is hereby Enacted, That from and after the First day of September, in the year of our Lord, One thousand six hundred sixty and three, and from thence forward, when the prices of Corn and Grain Winchester Measure do not exceed the Rates hereafter following, at the Havens or Places where the same shall be Shipped or Loaden, (Viz.) The Quarter of Wheat, Eight and fourty shillings; The Quarter of Barley or Malt, Eight and twenty shillings; The Quarter of Buck-wheat, Eight and twenty shillings; The Quarter of Oats, Thirteen shillings and four pence; The Quarter of Rye, two and thirty shillings; The Quarter of Pease or Beans, Two and thirty shillings current English money: That then it shall be lawful for all and every person and persons to Ship, Load, Carry and Transport any of the said Corns or Grains from the Havens or Places where they shall be of such Prices, unto any parts beyond the Seas as Merchandize: Any law, Statute, or Usage to the contrary notwithstanding, paying such Rates for the same, and none other, as are to be paid when the same might have been Transported by one Act passed this present Parliament, Entituled, A Subsidy granted to the King of Tonnage and Poundage.

Corn when at certain price may be exported.

Paying Tonnage, &c.

And



Custom and  
Poundage also  
to be paid.

And it is hereby further Enacted by the Authority aforesaid, That when the prices of the aforesaid Corns and Grains do not exceed the Rates above mentioned respectively Winchester Measure, at the Haven or Place into which any of them shall be Imported from any part beyond the Seas, there shall be paid for the Custom and Poundage of every Quarter of Wheat, Five shillings and four pence; and for every Quarter of Rye, Four shillings; and for every Quarter of Barley or Malt, Two shillings and eight pence; and for every Quarter of Buck-wheat, Two shillings; and for every Quarter of Oats, One shilling four pence; and for every Quarter of Pease or Beans, Four shillings.

Corn when at  
these Rates  
may be bought  
and stored.

And it is hereby further Enacted by the Authority aforesaid, That when the prices of Corn or Grain Winchester-measure, do not exceed the Rates following at the Markets, Havens, or Places where the same shall be bought, (Viz.) The Quarter of Wheat, Eight and forty shillings; the Quarter of Rye, Two and thirty shillings; the Quarter of Barley or Malt, Eight and twenty shillings; the Quarter of Buck-wheat, eight and twenty shillings; the Quarter of Oats, thirteen shillings and four pence; the Quarter of Pease or Beans, two and thirty shillings; That then it shall be lawful for all and every person and persons (not Forestalling nor Selling the same in the same Market within three moneths after the buying thereof) to buy in open Market, and to lay up and keep in his or their Granaries or Houses, and to sell again such Corn or Grain of the kinds aforesaid, as without fraud or cozen, shall have been bought at or under the prices before expressed, without incurring any penalty; Any Law, Statute, or Usage to the contrary notwithstanding.

For the benefit  
of Plantations.

And in regard his Majesties Plantations beyond the Seas are inhabited and peopled by his Subjects of this his Kingdom of England; For the maintaining a greater correspondence and kindness between them, and keeping them in a firmer dependance upon it, and rendering them yet more beneficial and advantageous unto it in the farther employment and increase of English Shipping and Sea-men, vent of English Woollen, and other Manufactures and Commodities, rendering the Navigation to and from the same more safe and cheap, and making this Kingdom a Staple, not only of the Commodities of those Plantations, but also of the Commodities of other Countries and Places, for the supplying of them; and it being the Usage of other Nations to keep their Plantations Trade to themselves;

No Merchandise of Europe  
to be carried to  
any English  
Plantation in  
Asia, Africa,  
or America,  
but such as are  
laden in Eng-  
land.  
Tangier ex-  
cepted.

Be it Enacted, and it is hereby Enacted, That from and after the five and twentieth day of March, One thousand six hundred sixty four, no Commodity of the Growth, Production, or Manufacture of Europe, shall be Imported into any Land, Island, Plantation, Colony, Territory, or Place to his Majesty belonging, or which shall belong hereafter unto, or be in the Possession of his Majesty, his Heirs and Successors, in Asia, Africa, or America, (Tangier only excepted) but what shall be bona fide, and without fraud, Laden and Shipped in England, Wales, or the Town of Berwick upon Tweede, and in English built Shipping, or which were bona fide bought before the first day of October, One thousand six hundred sixty and two, and had such Certificate thereof, as is directed in one Act passed the last Sessions of this present Parliament, Entituled, An Act for preventing Frauds, and regulating Abuses in His Majesty's Customs; and whereof the Master and three fourths of the Barriners at least are English, and which shall be carried directly thence to the said Lands, Islands, Plantations, Colonies, Territories, or Places, and from no other place or places whatsoever; Any Law, Statute or Usage to the contrary notwithstanding; under the penalty of the losse of all such Commodities of the Growth, Production, or Manufacture of Europe as shall be Imported into any of them, from any other place whatsoever, by Land or Water; And if by Water; of the Ship or Vessel also in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition,

Certificate,  
14 Car. 2. Cap.  
11.

Penalty.

Ammunition, and Apparel, One third part to his Majesty, his Heirs and Successors; One third part to the Governour of such Land, Island, Plantation, Colony, Territory, or Place into which such Goods were Imported, if the said Ship, Vessel or Goods be there seized, or informed against, and sued for, or otherwise, that Third part also to his Majesty, his Heirs and Successors; and the other Third part to him or them who shall seize, inform, or sue for the same in any of his Majesty's Courts in such of the said Lands, Islands, Colonies, Plantations, Territories, or Places where the Offence was committed, or in any Court of Record in England, by Bill, Information, Plaint, or other Action, wherein no Essoign, Protection, or Wager in Law shall be allowed.

Provided always, and be it hereby Enacted, by the Authority aforesaid, That it shall and may be lawful to Ship and Lade in such Ships, and so Navigated as in the foregoing Clause is set down and expressed, in any part of Europe, Salt for the Fisheries of New-England and New-found-land, and to Ship and Lade in the Medera's Wines of the Growth thereof; and to Ship and Lade in the Western Islands or Azores, Wines of the Growth of the said Islands, and to Ship and take in Servants, or Horses in Scotland or Ireland, and to Ship or Lade in Scotland all sorts of Victual of the Growth or Production of Scotland, and to Ship or Lade in Ireland all sorts of Victual of the Growth or Production of Ireland; and the same to Transport into any of the said Lands, Islands, Plantations, Colonies, Territories, or Places; Any thing in the foregoing Clause to the contrary in any wise notwithstanding.

Certain Merchandizes excepted.

And for the better prevention of Frauds, Be it Enacted, and it is hereby Enacted, That from and after the five and twentieth day of March, One thousand six hundred sixty and four, every person or persons importing by Land any Goods or Commodities whatsoever, into any the said Lands, Islands, Plantations, Colonies, Territories, or Places, shall deliver to the Governour of such Land, Island, Plantation, Colony, Territory, or Place, or to such person or Officer as shall be by him thereunto authorized and appointed, within Four and twenty hours after such Importation, his and their Names and Surnames, and a true Inventory and Particular of all such Goods or Commodities; And no Ship or Vessel coming to any such Land, Island, Plantation, Colony, Territory, or Place, shall lade or unlade any Goods or Commodities whatsoever, until the Master or Commander of such Ship or Vessel, shall first have made known to the Governour of such Land, Island, Plantation, Colony, Territory, or Place, or such other person or Officer as shall be by him thereunto authorized and appointed, the arrival of the said Ship or Vessel, with her Name, and the Name and Surname of her Master or Commander, and have shew to him that she is an English-built Ship, or made good by producing such Certificate as abovesaid, that she is a Ship or Vessel bona fide belonging to England, Wales, or the Town of Berwick, and navigated with an English Master, and Three fourth parts of the Mariners at least, English-men, and have delivered to such Governour, or other person or Officer, a true and perfect Inventory or Inventory of her Lading, together with the place or places in which the said Goods were laden or taken into the said Ship or Vessel, under the pain of the loss of the Ship or Vessel, with all her Guns, Ammunition, Tackle, Furniture, and Apparel; and of all such Goods of the Growth, Production, or Manufacture of Europe, as were not bona fide laden and taken in, in England, Wales, or the Town of Berwick, to be recovered and divided in manner aforesaid: And all such as are Governours or Commanders of any the said Lands, Islands, Plantations, Colonies, Territories, or Places (Tangier onely excepted) shall before the five and twentieth day of March, One thousand six hundred sixty and four, and all such as shall hereafter be made Governours or Commanders of any of them, shall before their Entrance upon the Execution of such

Notice to the Governour of Plantations of Goods brought thither.

Certificate.

Governours of Plantations to swear to pursue this Act.



Penalty of Governours.

such trust or charge, take a solemn Oath before such person or persons as shall be authorized by his Majesty, his Heirs and Successors to Administer the same, to do their utmost within their respective Governments or Commands, to cause to be well and truly observed, what is in this Act Enacted, in relation to the Trade of such Lands, Islands, Plantations, Colonies, Territories, and Places, under the penalty of being removed out of their respective Governments and Commands. And if any of them shall be found after the taking of such Oath, to have wittingly and willingly offended, contrary to what is by this Act required of them, That they shall for such Offence be turned out of their Governments, and be incapable of the Government of any other Land, Island, Plantation, or Colony; and moreover, forfeit the sum of One thousand pounds lawful money of England, the one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform or sue for the same in any of his Majesty's Courts in any of the said Plantations, or in any Court of Record in England, wherein no Escoign, Protection, or Wager in Law shall be allowed.

Penalty of fraud in a Customer.

And it is hereby further Enacted, That if any Officer of the Customs in England, Wales, or Town of Berwick upon Tweede, shall give any Warrant for, or suffer any Sugar, Tobacco, Ginger, Cotton-wool, Indico, Specklewood, or Jamaica Wood, Fustick, or other Dying Wood of the growth of any of the said Lands, Islands, Colonies, Plantations, Territories, or Places, to be carried into any other Country or place whatsoever, until they have been first unladen bona fide, and put on shore in some Port or Haven in England or Wales, or in the Town of Berwick, That every such Officer for such Offence shall forfeit his place, and the value of such of the said Goods as he shall give Warrant for, or suffer to passe into any other Country or place, the one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform or sue for the same in any Court of Record in England or Wales, wherein no Escoign, Protection, or Wager in Law shall be allowed.

Coals may be sent thither for petty custom.

And for the better Encouragement of the said Plantations, and the Increase of the Shipping and Navigation of this Kingdom, Be it Enacted, and it is hereby Enacted by the Authority aforesaid, That from and after the fifth and twentieth day of March, One thousand six hundred sixty and four, it shall and may be lawful out of any Port of England or Wales, or out of the Town of Berwick, to ship and lade Sea-coals for any part of them, paying for the Chalder, Newcastle-measure, One shilling eight pence, and for the Chalder London-measure, One shilling and no more, in full of all Custom and Poundage for the same; Any Law, Statute, or Prohibition to the contrary in any wise notwithstanding.

Security to unlade the Coals in an English Plantation.

Provided, That such Sea-coals be shipped in such shipping, and so Navigated as abovesaid, And that good security be given to the Officers of the Customs in such Port in which they are shipped, for the landing them in the said Plantations, and not elsewhere.

For increase of Coin and Bullion.

And forasmuch as several considerable and advantageous Trades cannot be conveniently driven and carried on without the Species of Money or Bullion, and that it is found by experience, that they are carried in greatest abundance (as to a Common Market) to such places as give free Liberty for Exporting the same, and the better to keep in and increase the current Coins of this Kingdom, Be it Enacted, and it is hereby Enacted, That from and after the first day of August, One thousand six hundred sixty and three, it shall and may be lawful to and for any person or persons whatsoever, to Export out of any Port of England or Wales, in which there is a Customer or Collector, or out of the Town of Berwick, all sorts of Foreign Coin or Bullion of Gold or Silver, first making entry thereof in such Custom-house respectively, without paying any Duty, Custom, Poundage, or Fee for the same; Any Law, Statute, or Usage to the contrary notwithstanding. And

Foreign Money or Bullion may be exported custom free.

Entry thereof.

And lastly, whereas a very great part of the richest and best Land of this Kingdom, is, and cannot so well be otherwise imployed and made use of, as in the feeding and fattening of Cattel; And that by the coming in of late of vast numbers of Cattel already fatted, such Lands are in many places much fallen, and like daily to fall more in their Rents and Values, and in consequence other Lands also, to the great prejudice, detriment, and impoverishment of this Kingdom; Be it further Enacted by the Authority aforesaid, and it is hereby Enacted, That for every head of great Cattel (except such as are of the breed of Scotland) that shall be imported or brought into England, Wales, or the Town of Berwick upon Tweed, after the first day of July, and before the Twentieth day of December in any year: And for every head of great Cattel of the breed of Scotland, that shall be imported or brought into England, Wales, or the Town of Berwick, after the four and twentieth day of August, and before the Twentieth day of December in any year, there shall be paid to His Majesty, His Heirs and Successors the sum of twenty shillings; And the sum of ten shillings to him or them that shall inform or seize the same; And the sum of ten shillings to the Poor of the Parish where such Seizure or Information shall be made, to be recovered and levied by Bill, Plaint, or other Action, wherein no Escoign, Protection or Wager in Law shall be allowed.

Graising of Cattle.

Cattle imported, what to pay.

Penalty.

And moreover, That there shall be paid to His Majesty, His Heirs and Successors, for every Sheep which shall be Imported into England, Wales, or the Town of Berwick aforesaid, after the first day of August, and before the Twentieth day of December in any year, the sum of Ten shillings of lawful money of England, to be recovered and levied in manner aforesaid.

Sheep.

Provided always, That this Act, in so far as it relates to great Cattel or Sheep, shall not take place till the first day of July, One thousand six hundred sixty and four, nor continue longer than the end of the first Session of the next Parliament.

This to commence in futuro.

And for the encouragement of the Herring and North-Sea Island, and West-mony Fisheries, Be it Enacted, and it is hereby Enacted by the Authority aforesaid, That from and after the first day of August, which shall be in the year of our Lord, One thousand six hundred sixty and four, no Fresh Herring, Fresh Codd or Haddock, Coal-fish or Gull-fish, shall be Imported into England, Wales, or the Town of Berwick, but in English-built Ships or Vessels, or in Ships or Vessels bona fide belonging to England, Wales, or the Town of Berwick, and having such Certificate thereof as is abovesaid, and whereof the Master and three fourths at the least of the Mariners are English, and which hath been fished, caught and taken in such Ships or Vessels, and so navigated, and not being bought or had of any Strangers born, or out of any Strangers Bottoms, under the pain of the forfeiture of all such Herring, Codd, Haddock, Coal-fish, or Gull-fish Imported contrary to the true intent and meaning hereof, and of the Ship or Vessel in which it was Imported; One moiety of which forfeitures shall be to His Majesty, His Heirs and Successors, and the other moiety to him or them that shall inform, seize, or sue for the same, to be recovered by Bill, Plaint, or other Action; wherein no Escoign, Protection, or Wager in Law shall be allowed.

Fishery. Navigation.

These Fishes may not be imported in Foreign Bottoms.

Fish caught or bought of Strangers, not to be imported.

Penalty.

And be it further Enacted, and it is hereby enacted by the Authority aforesaid, That for the following sorts or kinds of salted or dried Fish, which from and after the said first day of August shall be imported into England, Wales, or the Town of Berwick, in any other Ship or Vessel then what is English-built, or belonging to England, Wales, or Town of Berwick, and having such Certificate thereof as abovesaid, and whereof the Master and three fourths of the Mariners at least are English, and not having been fished and caught in such Ships or Vessels, and so navigated, there shall be paid by way of Custom and Impost the several sums of money herein after particularly mentioned, (that is to say) for Cod-fish, the Barrel five shillings; for Cod-fish,

Custom paid for Fish salted or dried and imported.

The rates.

the

the



the Last containing twelve Barrels, Three pounds; for Cod-fish the hundred containing six-score, Ten shillings; for Coal-fish, the hundred containing six-score, Five shillings; for Lings, the hundred containing six-score, One pound; for White Herrings, the Last containing twelve Barrels, One pound sixteen shillings; for Haddock, the Barrel, Two shillings; For Gull-fish, the Barrel, Two shillings.

English Tobacco.

Cap. 34.

No Tobacco to be planted in England, &c.

The Penalty.

Remedy against Opposers of this Act.

Tobacco in Physick Gardens.

Beasts of the Isle of Man importable.

And forasmuch as planting and making Tobacco within this Kingdom of England, doth continue and increase, to the apparent loss of His said Majesty in His Customs, the discouragement of the English Plantations in the parts beyond the Seas, and prejudice of this Kingdom in general, notwithstanding an Act of Parliament made in the Twelfth year of his said Majesties Reign for prevention thereof, Entituled, An Act for prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland. And forasmuch as it is found by experience, that the reason why the said planting and making of Tobacco doth continue, is, That the penalties prescribed and appointed by that Law are so little, as have neither power or effect over the transgressors thereof; For remedy therefore of so great an evil, Be it enacted by the Authority aforesaid, That all and every the person or persons whatsoever, that do, or shall at any time hereafter Set, Plant, or Sow any Tobacco in Seed, Plant, or otherwise, in or upon any ground, field, earth, or place within the Kingdom of England, Dominion of Wales, Islands of Guernsey and Jersey, or Town of Berwick upon Tweed, or Kingdom of Ireland, shall over and above the Penalty of the said Act for that purpose Ordained, for every such offence forfeit and pay the sum of Ten pounds for every Rod or Pole of ground that he or they shall so Plant, Set or Sow with Tobacco, and so proportionably for a greater or lesser quantity of ground; one third part thereof to the Kings Majesty, one other third part thereof to the use of the Poor of such respective Parish or Parishes wherein such Tobacco shall be so Planted, Set, or Sowed; and the other third part thereof to him or them that shall sue for the same, to be recovered by Action of Debt, Bill, Complaint, or Information in any of His said Majesties Courts of Record at Westminster, wherein no Writ, Protection, or Wager of Law shall be allowed.

And it is hereby further Enacted, That in case any person or persons shall resist or make forceable opposition against any person or persons in the due and thorough Execution of the said Act of the Twelfth of His said Majesties Reign, that he, she, or they so resisting and making forceable opposition, shall over and above the Penalties therein mentioned for such Offences, be committed to the common Goal of the County where such offence shall be committed, there to remain without Bail or Mainprize, until he, she, or they have entered into a Recognizance to His Majesty, His Heirs and Successors, with two sufficient Sureties of Ten pounds penalty not to do or commit the like offence again.

Provided always, That this Act nor any thing therein contained, shall extend to the hindrance or prejudice of Planting Tobacco in any Physick-Garden of either of the Universities, or any other private Garden for Surgery, so as the quantity so planted exceed not the half of one Pole in any one place or Garden.

Provided also, and be it Enacted, That it shall and may be lawful to import Cattel of the breed of the Isle of Man, not exceeding six hundred in any one year; And Cown of the growth of that Island, out of that Island into Englands so as the said Cattel be landed at Chester, Liverpool, or Wirewater; Any thing in this Act to the contrary thereof in any wise notwithstanding.

#### C A P. VIII.

An Act to prevent the selling of live fat Cattel by Butchers.

Cap. 19.

**W**hereas by an Act made in the Third and Fourth years of the Reign of King Edward the Sixth, It is Enacted, That no person using the Craft or Mystery of a Butcher, should buy any fat Oxen, Steers, Runts, Kine,

Kine, Heifers, Calves, or Sheep, and sell the same again alive, upon pain of forfeiture of the Cattel so sold; which Law hath not wrought such effectual Reformation as was intended, by reason of the difficulty in the proof of such Buying and Selling, being for the most part at places far distant, if not in several Countreies, by means whereof the parties so offending have escaped unpunished.

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That no person using the Trade of a Butcher, shall at any time from and after the Feast of Saint Michael the Arch-Angel next ensuing, Sell, Offer, or Expose to sale in any Market, or elsewhere, either by himself, or any Servant or Agent whatsoever, any Fat Oxen, Steers, Kunts, Kine, Heifers, Calves, Sheep, or Lambs alive, upon pain to forfeit the double Value of the Cattel so Sold, or Offered, or Exposed to Sale as aforesaid; The one moiety of which Forfeiture shall be to the Kings Majesty, his Heirs and Successors, and the other moiety to him or them that will sue for the same in any of his Majesties Courts of Record, by Bill, Plaint, Action of Debt, or Information, wherein no Essoign, Protection, or Wager of Law shall be allowed.

No Butcher shall sell live Cattle.

Penalty.

## CAP. IX.

An Act for granting Four Entire Subsidies to His Majesty, by the Temporality.

EXP.

## CAP. X.

An Act for the Confirming of Four Subsidies granted by the Clergy.

## CAP. XI.

An Additional Act for the better Ordering and Collecting the Duty of Excise, and preventing the Abuses therein.

For the preventing of the Frauds and Deceits of Brewers, and other persons who make Beer and Ale, and other Exciseable Liquors to sell, and of the abuses committed by the Officers, Collectors, and Managers of the Excise, to the great decay of his Majesties Revenue of Excise, and obstruction of the due and orderly collecting of the same, and for supply and amendment of certain defects in the Laws and Statutes relating to the Duty of Excise, as well for the support and advance of the said Revenue, as for the ease of the people; Be it Enacted by the Kings most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and of the Commons in this Parliament Assembled, and by Authority of the same, That no Common Brewer, Inn-keeper, Victualler, or other Retailer of Beer or Ale, shall at any time after the first day of September, One thousand six hundred sixty three, without first giving notice thereof at the next Office of Excise, or to the Commissioners, Farmers, or Sub-Commissioners of Excise, or one of them, within the Limits and Jurisdiction of whose Office he or they do or shall Inhabit, Erect, Set up, Alter, or Enlarge any Tun, Fat, Back, Cooler or Copper, and shall make use of any of them for the Brewing or making any Beer or Ale, or Worts, or shall make use of, or keep any private and concealed Store-house, Cellar, or other place for the laying of any Beer or Ale, or Worts in Cask, other then such as are already openly set up, erected and made use of in his common and usual Brew-house, and now openly discovered and known, upon pain to forfeit the sum of fifty pounds for every Tun, Fat, Back, Copper and Cooler set up and made use of without such notice given as aforesaid, and contrary to the true intent and meaning hereof; And that all and other every person or persons in whose occupation any House, Well-house, Out-house,

Sellers of Beer shall not set up or alter any Brewing Vessels, without notice to the Excise Office.

Penalty.



or other place whatsoever is or shall be, where any such private and concealed Tun, Back, Cooler, or Store-house shall be found and discovered, shall also forfeit and lose the sum of Fifty pounds, to be levied and recovered in manner and form as in and by this present Act is hereafter Directed and Ordained. And moreover, every such private and concealed Tun, Fat, Back, Copper, or Cooler so discovered and found as aforesaid, or altered, or enlarged, together with all Beer, Ale or Worts therein being, shall and may be taken up, seized, carried away, and delivered to the Overseers for the Poor, to be sold for the use of the Poor, or distributed amongst them.

Commissioners  
of Excise may  
not farm it.

12 Car. 2. cap.  
23.

12 Car. 2. cap.  
24.

Nor any Far-  
mer a Com-  
missioner.

Penalty.

Patents made  
to that purpose  
void.

Penalty if such  
Farmer and  
Commissioner,  
shall oppress a  
Brewer.

And be it further Enacted by the Authority aforesaid, That from and after the Eighth Day of November, in the Year of Our Lord One thousand six hundred sixty and five, no person or persons whatsoever nominated by His Majesty to be in Commission for the Regulating of His Majesties Revenue of Excise, or for the exercise of any the Powers or Authorities mentioned in an Act, Entituled, A Grant of certain Impositions upon Beer, Ale, and other Liquors, for the increase of His Majesties Revenue during His Life; Or one other Act, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, by Knights Service and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof, or in this present Act, shall presume to farm the said Revenue of His Majesty, either directly or indirectly, by obtaining Letters Patents to him or themselves thereof, or any person or persons whatsoever intrusted for him or them, or to or for his or their use, benefit, or behoof; Nor that any person or persons whatsoever being a Farmer of the said Revenue, shall be any way capable to be nominated a Commissioner for the Regulating His Majesties said Revenue of Excise, or exercising any Powers or Authorities concerning the same: But if any person or persons who stands thus disabled as aforesaid, to be nominated a Commissioner, shall become a Farmer, and shall in either of the said Cases nevertheless presume directly or indirectly to act as a Commissioner, Farmer, or Sub-Commissioner, to execute the Powers and Authorities aforesaid, either alone, or jointly with other persons that are Farmers, or else with any other who are not Farmers, shall from and after such his acting, lose the benefit of his said Farm, and be thenceforth totally for ever disabled to be either Farmer of the said Revenue, or Commissioner for the regulating thereof, and exercising the Powers aforesaid; And that all and every act and acts done by any Commissioner or Commissioners, or Sub-Commissioners, being Farmer or Farmers, by him or themselves, or jointly with others who are not Farmers, shall be void in Law, and of none effect; And that all and every person or persons any way molested or troubled by the command and authority of such Commissioner or Commissioners acting by him or themselves, or together with others who are not Farmers or Commissioners, may bring his Action at Law for the same in any of His Majesties Courts at Westminster, and thereby recover his Damages against any such Commissioner or Commissioners, any Law or Statute to the contrary notwithstanding.

And that all and every Letters Patents to be made from and after the Tenth day of April, in the year of Our Lord, One thousand six hundred sixty and three, inabling any Farmer or Farmers of the Excise to be Commissioner or Commissioners, or Sub-Commissioners, shall be utterly void and of none effect; Any thing in any of the said Acts to the contrary notwithstanding.

And that if any Commissioner or Sub-Commissioner, Commissioners or Sub-Commissioners, who by colour or virtue of any Letters Patents are now both Commissioners or Sub-Commissioners for regulating the said Revenue

venue, and likewise Farmers of the said Revenue, shall give any false and corrupt Judgment in advancement of the benefit of his or their said Farm, to the Brewers damage, contrary to Law, he or they shall forfeit for every such Judgment so falsely and corruptly given, double Costs to the party so injured by the said corrupt and false Judgment: And in case any person shall unjustly complain of any Judgment of the Commissioners or Sub-Commissioners as aforesaid, and so shall be found upon his Appeal, the said party shall forfeit double Costs to the said Commissioners, for such unjust verations, to be recovered by Information, Bill, or Plaint, in any Court of Record.

False complaint  
against a Com-  
missioner.

And be it further Enacted by the Authority aforesaid, That from and after the First day of September, in the year of our Lord, One thousand six hundred sixty and three, all and every Gager or Gagers of the Excise, who shall take an account of any Beer or Ale brewed or made by any common Brewer, shall weekly after such common Brewer hath made, or ought to have made his Entry at the Office of Excise, and not otherwise, make and deliver to such common Brewer at his house, or to some of his Servants in his behalf, a true Copy under his or their Hand, of such Return or Report as he or they have made thereof to the Commissioners or Sub-Commissioners of Excise respectively, upon pain to forfeit for every neglect or refusal the sum of Forty shillings.

Gagers to give  
Brewers notice  
of their returns.

Provided nevertheless, That no such common Brewer or Brewers shall be sued or prosecuted for any penalty or forfeiture by him or them incurred, for or by reason of any mis-entry, or short Entry, if he or they shall within the space of One week after the delivery of such Copy as aforesaid, certify his or their Entry according to the said Return, or otherwise discharge himself.

Brewer may re-  
ctify a false  
Entry within a  
week.

Be it Enacted, That from and after the said First day of September, One thousand six hundred sixty three, and as often as there shall be occasion, Two able Artists shall be appointed, one of them by His Majesty's Commissioners, Farmers, or Sub-Commissioners for Excise, and the other by the Brewers of any City or place, which said Artists shall take an Oath, which Oath any one Justice hath hereby power to Administer, to take and compute the just Contents and Gauge of all Coppers, Fatts, Tuns, Backs, and Coolers, and all other Brewing-Vessels of that nature, belonging to all or any Brewer or Brewers of Beer or Ale to sell, and to deliver, and give under their Hands, one Copy of the particular Contents of all such Vessels to the aforesaid Commissioners, Farmers, and Sub-Commissioners, and another true Copy thereof to each and every such respective Brewer; which Computation by the Artists aforesaid, shall answer and be according to the Measures and proportions express in the said former Acts for Excise.

Gagers of Vessels  
sworn.

Their Office.

Former Stat.

And be it further Enacted, That no Commissioner, Farmer, or Sub-Commissioner for the Excise, or common Brewer of Ale or Beer to sell, or Inn-keeper whatsoever, shall from and after the said First day of September, have power to act in, or execute as a Justice of the Peace, any of the Powers, Clauses, or things contained in any of the Laws made for and concerning the Excise, or in this present Act; And if any of the said persons shall presume to act or execute any thing contrary hereunto, It is hereby further Declared, That all such things so acted or executed by any of them, are and shall be utterly void and null to all intents and purposes.

Who may not  
act as Justices  
of Peace upon  
this Law.

And whereas by the said recited Acts it is Enacted, That no person shall be compelled by the Commissioners or Sub-Commissioners of Excise, to Travel for the making of his Entries, or payment of the Duties of Excise, or other Clause whatsoever touching or concerning the same, if he live in a Market-Town, out of the said Town; and if he live out of a Market-Town,

Former Acts  
recited.



Grievance.

The Commis-  
sioners shall ap-  
point men to  
come to Mar-  
ket Towns, to  
receive Excise.

Penalty.

Certain hours  
to carry forth  
Drink.

Penalty.

Town, then to no other place then to the next Market-Town to his habitation in the same County on the Market-day; And nevertheless the Commissioners, and Sub-Commissioners, or their Officers have not accordingly kept Officers in the Market-Towns in many Counties within England and Wales, whereby such Entries and payments for the Duties of Excise might be had and made, and yet do take and levy the Penalties and Forfeitures in the said Acts mentioned, for non-Entry and payment of the Duty, and do otherwise thereupon grieve and vex His Majesty's Subjects, contrary to the true intent and meaning of the said Acts;

Be it therefore Enacted by the Authority aforesaid, That from and after the said first day of September, in the year of our Lord, One thousand six hundred sixty and three, the Commissioners, Farmers, or Sub-Commissioners in each County within England and Wales, shall constitute and appoint, or depute under their Hands and Seals, such person or persons as they shall think needful in each respective Market-Town, to be there upon every Market-day, in some known and publick place, for the receiving of the said Entries and Duties of Excise, and for performing all other matters and things touching the said Duty, according to the said Acts, and this present Act: which said person and persons so constituted or deputed (and the place where they intend to hold or keep such Office, being on the next Market-day after such Constitution or Deputation published in full and open Market) shall attend at such Office on every Market-day, in such Market-Town, and shall keep the said Office open from Nine of the Clock in the Morning, until Twelve of the Clock at Noon; and from Two of the Clock in the Afternoon, until Five of the Clock in the Afternoon. And in case such Office shall not be so kept and attended in each Market-Town respectively, the Commissioners, Farmers, Sub-Commissioners, or other person or persons so neglecting or refusing to do the same, shall for every Market-day forfeit Ten pounds, the one half to the Kings Majesty, His Heirs and Successors, and the other half to him or them that will Inform and Sue for the same in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Escoyn, Protection, or Wager of Law shall be admitted or allowed; And such person as shall come to such Market-Town to make such Entry or payment of the Duties, and shall tender the same according to the said Acts, and be able to prove such Tender by the Oath of one or more sufficient Witnesses, shall not be liable to any Penalty or Forfeiture imposed by the said Acts, for such weekly or monthly Entries or payments as should have been made or paid on such Market-day; Any Article, Clause, or Thing in any or either of the said Acts, or this present Act to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the said first day of September, No common Brewer of Beer or Ale, shall Sell, Deliver, or Carry out any Beer or Ale to any his Customers, either in whole Cask, or by the Gallon, in any City, Town-Corporate, or Market-Town, before notice given to an Officer of Excise, but between the hours of the day hereafter mentioned (That is to say) From the twenty fifth day of March, to the Twenty ninth day of September yearly, between the hours of Three of the Clock in the Morning, and Nine of the Clock in the Evening; and from the Nine and twentieth day of September, to the Five and twentieth day of March yearly, between the hours of Five of the Clock in the Morning, and Seven of the Clock in the Evening, upon pain that every Brewer doing contrary hereunto, shall for every such Offence forfeit and lose the sum of Twenty shillings for every Barrel of Beer or Ale that shall be so carried out contrary to the true meaning of this Act, to be Levied and Recovered as in and by this present Act is hereafter Enacted and appointed.

And

And be it further Enacted by Authority aforesaid, That if any common Brewer, Inn-keeper, Victualler, or other Retailer of Beer or Ale, shall at any time after the first day of September, after an account hath been taken by the said Sager or Sagers of the quantity and quality of the Beer, Ale, or Worts found in his Tun, and other brewing Vessels, convert any part of his small Beer or small Worts so taken account of, into strong Bar or Ale, by mingling, letting down, or striking over any such strong Ale, or strong Worts into which, or amongst any such small Bar, or small Worts, and shall sell, deliver out, or retail the same, or any part thereof, without giving notice to the same Sager or Sagers of the quality so mingled and converted as aforesaid; or if any such Brewer or Retailer as aforesaid, shall after the said time, hide, conceal, or convey any Beer, Ale, or Worts not Saged, from the sight or view of the Sager or Sagers appointed to take account of the same, whereby the Kings Majesty, or His Commissioners or Farmers shall or may be defrauded in any manner of wise, of the Duties due for the same, or any part thereof, every such common Brewer, Victualler, and Retailer, for every Barrel of Bar or Ale by him or them so mingled, converted, sold, delivered, hid, concealed, or conveyed away, contrary to the true intent and meaning thereof, shall forfeit and lose the sum of Twenty shillings, to be levied and recovered in manner and form as in and by this present Act is hereafter ordained and appointed.

Small Beer converted into strong, and not counted for.

Concealment of Ale, &c. not excused.

Penalty.

And be it further Declared and Enacted, That all and every the brewing Vessels, and Utensils for brewing, into whose hands soever the same shall come, and by what Conveyance or Title soever the same be claimed, shall be liable and subject unto, and are hereby charged with all and singular the Debts and Duties of Excise in arrear, and owing by any person or persons for any Beer or Ale made within the said Brew-house, and shall also be subject to all Penalties and Forfeitures incurred by such person or persons so using the said Brew-house, for any offence against the Laws and Statutes for Excise; And that it shall be lawful in all cases to levy Debts and Penalties, and use such proceedings against the Utensils therein contained, as it may be lawful to do in case the Debtor or Offender using the said Utensils had been truly and really Owner and Proprietor of the same.

Utensils of brewing liable to pay the Excise.

And be it further Enacted by Authority aforesaid, That after the first day of September, no common Brewer of Beer or Ale, nor any other person whatsoever, who hath or shall compound for the Duties of Excise for Beer or Ale by him brewed or to be brewed, shall during the term of such Composition, Brew, or make, or suffer, or permit any Beer or Ale to be brewed or made within his Brew-house, for any other common Brewer whatsoever, without first giving notice, as well of every particular Brewing, as of the quantity and quality of the Beer and Ale at every such Brewing intended to be brewed and made, unto the respective Commissioners, Farmers, or Sub-Commissioners of Excise, within the Districts of whose Office such common Brewer doth or shall inhabit, and forthwith paying down unto the said respective Commissioners, Farmers, or Sub-Commissioners, the full Excise of all the said Beer and Ale, upon pain that as well the Brewer who shall brew the same, as the Brewer for whom the said Beer or Ale shall be brewed, shall forfeit and lose for every Barrel the sum of five pounds, the one Moiety to the Kings Majesty, and the other Moiety to the Informer that shall sue for the same in any Court of Record.

Brewhouses used by two Brewers.

And be it further Enacted by Authority aforesaid, That from and after the said first day of September, no person or persons shall be permitted to sell or retail any Coffee, Chocolate, Sherbet, or Tea, without License first obtained and had by order of the General Sessions of the Peace in the several and respective Counties, Certificate being first shewed that they have given good Security for the due payment of their Dues to the King, or the chief Magistrate of the place in whose Jurisdiction he or they do or shall inhabit

Sellers of Coffee, Tea, &c. shall be licensed by the Justices.



No Licence  
granted until  
the Excise be  
secured.

inhabit or dwell, for the Selling or Retailing of the same; Nor shall any Licence be granted to any Retailer, until Security first given by Recognizance, or otherwise: For which Licence, Recognizance, and Security, Twelve pence shall be given, and no more, for the payment of the Excise. And every person or persons Selling or Retailing any of the said Liquors without Licence had, and Security given as aforesaid, shall forfeit and lose the sum of five pounds for every moneth he or they shall continue Selling or Retailing the same.

Brewer not to  
bribe a Gager.

And be it further Enacted by the Authority aforesaid, That from and after the said first day of September, no Brewer or other person whatsoever shall bribe or corrupt, or give any Honey, Fee, or other Reward whatsoever, to any Gager or Gagers, or other Officer whatsoever, to make any false Return or Report in the Office of Excise, of any Beer, Ale, or other Liquors Exciseable, made or brewed, or to be made or brewed within his or their Charge, Division, or Walk, or to forbear or omit the doing or executing of his or their Places or Imployments, upon penalty of Ten pounds for every such Offence; And that no Sworn Gager or Gagers, or other Officer whatsoever, shall directly or indirectly take and receive any Bribe, Honey, Fee, Gift, or other Reward of any Brewer or other person whatsoever, for any cause or matter relating to the Excise, upon penalty that every such Sworn Gager or other Officer so offending, shall for every such offence forfeit and lose the sum of Ten pounds: All and every of which said respective Offences shall be proved by the Oaths of Two lawful and credible Witnesses before two Justices of the Peace, or chief Magistrate of the place where such Offence shall be committed; which said Justices or Magistrates respectively have hereby power to administer the said Oaths, and also to Examine, Adjudge, and Determine the same, and to cause such Penalties by Warrant under their Hands and Seals to be levied by Distress and Sale of the Offenders Goods, rendering to the party the overplus; and for want of such Distress, to commit every such Offender to the common Gaol of such County or place, there to remain by the space of Three Moneths without Bail or Main-prize.

Penalty.

Trial.

Excise for for-  
eign Liquors.  
No foreign  
Liquors may  
be landed be-  
fore entry.

And for the better Levying and Collecting the Duties of Excise upon all Foreign or Imported Liquors, Be it Enacted by Authority aforesaid, That no such Foreign or Imported Liquors shall be Landed or put on Shore out of any Ship or Vessel from beyond the Seas, before due Entry be first made thereof, with the Officer or Collector appointed for the Excise, in the Port or place where the same shall be Imported, or before the Duty of Excise due and payable for the same be fully satisfied and paid; and that every Warrant for the Landing or Delivering of any such Foreign Liquors shall be Signed by the hand of the said Officer or Collector of the Excise, in the said Port or place respectively, upon pain that all such Foreign Liquors as shall be landed, put on Shore or delivered, contrary to the true intent and meaning hereof, or without the presence of an Officer or Waiter for the Excise, or the value thereof, shall be forfeited and lost, the one moiety to the Kings Majesty, and the other moiety to him or them who shall or will Seize, Inform, or Sue for the same to be recovered of the Importer or Proprietor thereof.

Warrant for  
Landing.

Penalty of  
landing before  
entry.

And that no person or persons whatsoever bringing any Exciseable Liquors (except Beer, Ale, Sider, Perry, and Metheglin) into any part or place of this Realm, by Coast, Cocquet, Transire, or Certificate, nor any person or persons to whom the same or any of them shall be consigned, shall land, or cause any such Exciseable Liquors (except before excepted) to be landed or put on Shore, without making or causing due Entry to be made of the same, with the Officer or Officers of the Excise for the time being, appointed to receive and take such Entries within the Port or Place where the same shall be landed, upon pain in every such case as aforesaid, to forfeit double the value of the said Liquors landed or put on Shore contrary to the true intent and meaning hereof.

Provided

Prohibited also, and be it further Enacted and Ordained by Authority aforesaid, That no Appeal in any Cause of Excise whatsoever shall be admitted, until the Party Appellant shall have first deposited and laid down the single duty of Excise in the hands of the Commissioners, Farmers, or Sub-Commissioners of Excise, within whose Jurisdiction or Division the said Cause was originally heard and determined, and have given Security to the Commissioners of Appeal, or Justice of the Peace respectively where such Cause is to be finally adjudged, for all such Fine, Forfeiture, and Penalty, as upon such hearing and determination was adjudged against him; And that if upon the hearing and determining of any such Appeal, the said Original Judgment shall happen to be reversed and made null, then, and in every such case, the said Commissioners, Farmers, or Sub-Commissioners of Excise, in whose hands the said single Duty of Excise was deposited, shall restore and deliver back the same, or as much thereof as shall be adjudged by the Commissioners of Appeals, or Justices of the Peace respectively to the said Appellant, and the Party Originally prosecuting shall pay him double Costs. But in case the first Judgment shall be affirmed, the Party Appealing shall pay the like Costs unto the Commissioner or Commissioners complained of; Any thing in this Act, or in any other Act or Statute whatsoever to the contrary thereof contained in any wise notwithstanding.

No Appeal before the Excise be deposited.

Security upon an Appeal.

The Money deposited, restored.

Costs to each party.

And be it further Enacted by Authority aforesaid, That all and every person or persons whatsoever, Brewing or Making any Beer, whether in a Common Brew-house or otherwise for sale, or to convert into Vineger for sale, shall pay for every Barrel of such Vineger-Beer so made and brewed, the several and respective sums already imposed and set by any the Acts of Excise abovementioned, upon Vineger-Beer brewed by any Common Brewer in any Common Brew-house; Any thing in the said Acts, or either of them, to the contrary notwithstanding.

Excise of Beer-Vineger.

It is hereby further Declared, That every Colledge and Hall in either of the Universities, which before the Duty of Excise was imposed, did Brew their own Beer and Ale within their own Precincts, and size it out to their respective Members within their own Precincts onely, are not liable to the payment of any Duty of Excise for the same, either by this or any the foregoing mentioned Acts.

Colledges not to pay Excise.

Prohibited also, and be it Enacted, That all Differences, Appeals, and Complaints, that shall happen and arise between party and party, in order to the payment of the Duty of Excise, shall be heard and determined in the proper County, or in the several Ridings and Divisions of Yorkshire and Lincolnshire, where they shall arise, and not elsewhere.

Suits in proper Counties.

And be it further Enacted by the Authority aforesaid, That no Farmer, Commissioner, Sub-Commissioner, or other Officer of Excise, shall directly or indirectly take or receive any Money, Fee, or Reward, for or concerning the taking of any Bond, or giving any Receipt or Note in Writing, relating to the Excise, to or from any person or persons whatsoever, upon pain that every such person so offending, shall for every such offence forfeit the sum of Ten shillings.

No Officer of Excise to take any Fee for Writing.

And be it further Enacted by the Authority aforesaid, That the Justices of the Peace, or any two or more of them, or chief Magistrates in the several Counties, Cities, Divisions, and places within England and Wales respectively, shall meet once in every month in their respective Divisions, or oftner if there shall be occasion, to hear, determine, and to adjudge all matters and offences against this or the aforesaid Acts.

When Justices shall sit to hear Differences.

And be it further Enacted by the Authority aforesaid, That one third part of all Fines, Penalties, and Forfeitures not herein otherwise disposed, shall be to the Kings Majesty, his Heirs, and Successors, and one other third part to the Poor of the Parish where the offence shall be committed, and the

Penalties how to be disposed.



other third part to him that shall inform and sue for the same; And that all Fines, Penalties, and Forfeitures, for which no remedy is Ordained for Recovery thereof by this Act, shall be recovered by Action of Debt, Bill, Plaint or Informations in any Court of Record, within such County, City or Corporation, where the Offence shall be committed, or by such other ways and means, and in such manner as by the said former Act is directed and appointed.

Within what  
times Appeals  
must be  
brought.

Provided always, That after the said Third day of September, no Appeal in any Matter or Cause of Excise within the immediate Limits of the chief Office of London, nor within the Limits of the present Farm of London, during the continuance of such Farm, shall be admitted, unless the same be brought within Two Moneths next after the first Judgment, and notice thereof given or left at the Dwelling-house of the party or parties concerned therein; nor shall any Appeal in any Matter or Cause of Excise in any other County, City, Town, or place, be admitted, unless the same be brought within Four Moneths after the first Judgment, and notice given as aforesaid; Any thing in this Act to the contrary notwithstanding.

Officers to take  
Oaths.

Provided nevertheless, And it is hereby Enacted, That no Commissioner, Farmer, Sub-Commissioner, or other person employed, or to be employed in the Farming, Collecting or taking Accompts for the Duty of Excise, do after the first day of September next, take upon him or them any such Office, or proceed in execution of any such employment, until he or they have first taken the Oaths appointed to be taken by the Act of Parliament, Entituled, A Grant of certain Impositions on Beer, Ale, and other Liquors, for the increase of His Majesties Revenue during His Life, before the respective persons appointed in the said Act of Parliament, and have entered his Certificate for taking the said Oaths, with the Auditor for Excise, under the penalty of Fifty pounds for every Moneth, he, or they shall so neglect to take the same. Vide Cap. Prox.

## CAP. XII.

An Explanatory Act for Recovery of the Arrears of Excise.

Vide Cap. 11.  
Arrears of Old  
Excise recover-  
able.

**B**E it Declared and Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by Authority of the same, That where any Commissioner, Sub-Commissioner, Treasurer, and all other Officers which were heretofore employed in the Receipt of the Excise, Farmer, or Collector of Excise, which are and standeth charged with, or accountable for any Duties of Excise by him or them Received, Farmed, or Detained, or any ways due from the persons before-named, or any of them, and not pardoned by the late Act, Entituled, An Act of Free and General Pardon, Indemnity, and Oblivion; That there, and in such case, all and every the Sureties of such person and persons charged or chargeable as aforesaid, shall be deemed and taken to be liable and answerable according to the nature of their respective Securities; Any doubt or question made touching the Construction of the said late Act of Free and General Pardon to the contrary notwithstanding.

Summons left  
with Servants,  
well served.

And be it further Declared and Enacted, by the Authority aforesaid, That where the Commissioners of Excise for the time being, or the major part of them, have issued out any Summons or Warning, which hath been left at the house, or usual place of residence, or with the wife, child, or menial servant of any the aforesaid person or persons Chargeable or Accountable as aforesaid, The same shall be deemed and adjudged a good and sufficient Summons, and as legal and effectual a notice, as if the same had been actually delivered to the proper hands of such person or persons to whom the same was directed; Any doubt or question thereof made to the contrary notwithstanding;

CAP.

## CAP. XIII.

An Additional Act for the better Ordering and Collecting the Revenue arising by Hearth-Money.

**V**hereas the Revenue settled on His Majesty, His Heirs, and Successors, by a late Act, Entituled, (An Act for Establishing an Additional Revenue upon His Majesty, His Heirs, and Successors, for the better support of His, and their Crown and Dignity) hath been much obstructed for want of true and just Accompts under the hands of the respective Occupiers of Houses, Edifices, Lodgings, and Chambers, as by the said Act is required, and by the negligence of Constables, and other Officers intrusted with the taking and reforming such Accompts: Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That the Justices of the Peace of the respective Counties, Corporations, Places and Limits within their respective Jurisdictions, at the next Sessions to be held after the Feast of Saint Michael the Archangel next ensuing, or the major part of them then present, shall issue out Warrants under their Hands and Seals to the respective High Constables, or other like next Officer, who shall issue the like Warrants unto the Petty-Constables, Headboroughs and Tythingmen, requiring them on the next Sunday after Morning-Service ended, to give publick notice in the Church or Chappel, generally to all the Inhabitants, and also to give notice publickly in the Church, and particularly as aforesaid to every Inhabitant within their respective Precincts, that shall then be Occupier of any House, Edifice, Lodging or Chamber, That within Ten days next after such notice, he give a true and just account in writing under his hand, of all Hearths and Stoves in such respective House, Edifice, Lodging and Chamber, unto such respective Constable, Headborough, and Tythingman; who upon receipt of such Accompt, shall with two other substantial Inhabitants of the said respective Precinct, whom they are hereby Authorized to charge for that purpose, in the day-time enter into the respective House, Edifice, Lodging, and Chamber, and upon his own view compare such Accompt, and see whether the same be truly made or not, and endorse the said Accompt accordingly to what he findes upon his view; which Accompt so received and endorsed, shall be by him transmitted within twenty days after such Receipt to the respective High-Constable, or other-like Officer as aforesaid, together with a Book or Roll fairly written, wherein shall be Two Columns, The one containing the names of the persons, and number of Hearths and Stoves in their respective Possessions, that are chargeable by the said Act; and the other, the names of the persons, and number of Hearths and Stoves in their respective possessions, which are not chargeable by the said Act; Which being so received by such respective High Constable, or other-like Officer as aforesaid, and compared together, shall within six days after such Receipt be transmitted to the two next respective Justices of the Peace, who are hereby impowred to examine the said respective High-Constable, or other-like Officer as aforesaid, Petty-Constable, Headborough or Tythingman, upon Oath, concerning the truth and faithfulness of their actings in the premises; which being done, the said Justices shall within ten days after such Examination, Sign and Transmit the said Book and Roll, together with the said Original Accompts so endorsed as aforesaid, and filed together, unto the respective Clerk of the Peace, who shall within Twenty days after Receipt thereof, Engrols the said Book or Roll in Parchment, to be still kept in the respective County and places aforesaid; and shall also within two Months Engrols in Parchment a true Duplicate of the said Book or Roll, which being Signed by him, and by two Justices of the Peace, at least, of the respective County and places aforesaid,

14 Car. 2. cap.

40.

G.ievance.

Warning at the Church to summon Household-ers, to give in the number of Chimneys.

Houses searched.

Books of the number of Chimneys, given the Justices upon Oath.

Those Books sent into the Exchequer.



said, shall be transmitted within one Moneth after such Engrossment into His Majesties Courts of Exchequer.

Penalty if an  
Householder give  
a less number of  
Chimneys.

Provided always, and be it Enacted by the Authority aforesaid, That if any Occupier of any House, Edifice, Lodging, or Chamber, shall not make or cause to be made an Account, or shall omit in his Account required to be made by this Act, any Hearth or Stove; he shall for every such Hearth or Stove he shall so omit, forfeit the sum of Forty shillings.

Penalty of neg-  
lect in Constables,  
&c.

Provided also, That if any Petty Constable, Headborough, or Tythingman, to whom such Accompts as aforesaid shall come, shall neglect to transmit the same, together with a Book or Roll in manner and time aforesaid, to the respective High Constable, or other like Officer as aforesaid, or shall make default in giving such notice as aforesaid, or in comparing the Accompt with two substantial Inhabitants as aforesaid, shall forfeit for every such offence, the sum of five pounds.

Provided also, That if any High Constable or other like Officer as aforesaid, shall neglect to compare the said Original Accompts and the said Book or Roll, or to transmit the same in manner and time aforesaid, he shall for every such offence forfeit the sum of Ten pounds. All which before-mentioned Forfeitures and Penalties, shall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesties Courts of Record, the one half to the use of His Majesty, the other half to the use of him or them that shall sue for the same.

Constables re-  
moved, shall  
proceed to  
finish the busi-  
ness of this Act.

And whereas His Majesties said Revenue settled by the aforesaid Act, hath been much prejudiced by Annual changing of Petty Constables, Headboroughs, Tythingmen, High Constables, and Sheriffs, to whom the Collecting and Receipt of His Majesties said Revenue is thereby intrusted; Be it therefore Enacted by the Authority aforesaid, That the changing of such Annual Officers, or leaving of their said Offices, shall not excuse or disable any person who shall be Constable, Headborough, Tythingman, High Constable, or Sheriff at the time that any Revenue or Duty shall grow due or payable by the said Act, from Collecting, Distraining, and Receiving respectively such Revenue or Duty so grown due; but that every such person in such case is hereby enabled and required to do all things respectively, as to such Revenue or Duty so growing due, as if he had continued Constable, Headborough, Tythingman, High Constable or Sheriff; Anything in the said Act to the contrary notwithstanding.

Penalty to neg-  
lect to gather,  
receive, or pay.

Provided also, and be it Enacted by the Authority aforesaid, That if any person who by the said, or this Act, ought to Collect, Distrain for, Receive or Pay over any the said Revenue, shall neglect or refuse to do his duty therein, for every week he shall neglect or refuse, he shall forfeit the sum of Twenty shillings, to be recovered in manner, and by such person or persons as the aforesaid Forfeitures by this Act are to be recovered.

Constables, &c.  
may take As-  
sistants.

Provided also, and be it Declared and Enacted by the Authority aforesaid, That in all cases which by this or the aforesaid Act, any Petty Constable, Headborough or Tythingman, may enter into the house of any person, or may distrain the Goods of any person, he may call to his aid any two sufficient Inhabitants of the respective Townships or Precincts, who are hereby enjoined to assist him therein.

Sheriffs may ex-  
ecute this Act  
by Deputies.

Provided also, and be it Enacted and Declared by the Authority aforesaid, That where any Sheriff is by the aforesaid Act appointed to be Collector of any part of the said Revenue, that such Sheriff may execute the said place of Collector, by such Deputy or Deputies as to him shall seem meet, being thereunto appointed under the Great Seal of his Office, or under his own Hand and Seal; Anything in the said Act to the contrary notwithstanding.

Officers of  
Societies.

Provided also, and be it Enacted by the Authority aforesaid, That the respective Treasurers, and other Officers of the respective Inns of Court, Inns

Inns of Chancery, Colledges, and other Societies chargeable by the aforesaid Act for their Hearths and Stoves, shall do all things as the respective Constables by this Act are enjoined to do, under the like Penalties, though without any Warrant from the respective Justices of the Peace; And that every Occupier of any House, Edifice, Lodging, or Chamber, within any the respective Inns of Court, Inns of Chancery, Colledges, and Societies aforesaid, shall do all things, and under the like Penalties as are required by this Act of any Occupier of any House, Edifice, Lodging, or Chamber elsewhere.

Provided always, and be it Enacted by the Authority aforesaid, That the High Bailiff of Westminster for the time being, or his or their Deputy or Deputies, may within the City and Liberties of Westminster, from and after the Eighth and twentieth day of September next, Collect and Levy the said Duty, and put in execution all the Powers of the said former Act, and this present Act, as amply as any Sheriffs who by the said former Act are made Collectors, may do within their respective Limits and Jurisdictions appointed to them by the said Act: And the said Bailiff for the time being shall be subject to the same Penalties and Duties as the said Sheriffs are, and shall receive the same reward; and the Sheriff of Middlesex for the time being, is discharged from putting in execution the trust aforesaid in the said City and Liberty of Westminster, from the said Eighth and twentieth day of September, saving onely for the Collecting of such Arrears as then shall happen to be: And the Constables and Headboroughs, and other Officers within the said City and Liberty of Westminster, shall deliver unto the said Bailiff, Duplicates of all Accompts of Hearths and Stoves, and do all other things in such manner as by the said Act they ought to have done unto the said Sheriffs; Any thing in the said, or this Act to the contrary notwithstanding.

Bailiff of Westminster, Collector there.

Provided always, and be it Enacted by the Authority aforesaid, That the Bailiff of the Burrough of Southwark for the time being, his Deputy or Deputies may within the said Burrough, and other Liberties of Southwark, from and after the Eighth and twentieth day of September next, Collect and Levy the said Duty, and put in execution all the Powers of the said former Act, and this present Act, as amply as any Sheriffs who by the said former Act are made Collectors, may do within their respective Limits and Jurisdictions appointed to them by the said Act; and the said Bailiff for the time being, shall be subject to the same Penalties and Duties, as the said Sheriffs are, and shall receive the same reward; and the Sheriff of Surrey for the time being, is discharged from putting in execution the trust aforesaid in the said Burrough and Liberties of Southwark, from the said Eighth and twentieth day of September: And the Constables and other Officers within the said Burrough and Liberties, shall deliver unto the said Bailiff, Duplicates of all Accompts of Hearths and Stoves, and do all other things in such manner as by the said Acts they ought to have done unto the said Sheriffs; Any thing in the said former, or this Act, to the contrary notwithstanding.

Bailiff of Southwark, Collector.

Provided also, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Treasurer of England, and the Chancellor of his Majesties Court of Exchequer, or either of them, to give and make such further allowance unto the Clerks of the Peace of the respective Counties of this Kingdom (for their labor and pains, in and about the Writing, Engrossing, and Returning into his Majesties Court of Exchequer, the Duplicates and Returns of the several Constables, in Parchment, over and besides what is allowed by the said first recited Act) as the said Lord High Treasurer and Chancellor, or either of them shall think meet and convenient, the same allowance not exceeding One penny in the pound by the year; Any thing in the said former, or in this Act, to the contrary notwithstanding.

Allowance to Officers for their pains.



## CAP. XIV.

An Act for Setling the Profits of the Post-Office, and Power of Granting Wine-Licences, on his Royal Highness the Duke of York, and the Heirs-Males of his Body.

**V**hereas the Lords and Commons being assembled at Westminster the fife and twentieth day of April, Anno Domini One thousand six hundred and sixty, in the Twelfth Year of the Reign of our most Gracious Soberaign Lord Charles the Second, by the Grace of God of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. were there continued until the Nine and twentieth day of December next following, and then Dissolved; In which time, a certain Act was made, Entituled, An Act for the better ordering the Selling of Wines by Retail, and for preventing abuses in the Mingling, Corrupting, and Vitiating of Wines, and for Setling and Limiting the Prices of the same: Whereby it was Enacted, That no person or persons whatsoever, from and after the fife and twentieth day of March, in the year of our Lord, One thousand six hundred sixty and one, unless he or they should be authorized and enabled in manner and form as by the said Act is appointed, shall sell or utter by Retail any kinde of Wine or Wines to be spent in his or their Banck-house or Houses, or other place by any means whatsoever, upon pain of forfeit for every such offence, the sum of fife pounds; the one moiety thereof to the King, and the other moiety to him or them that will sue for the same.

12 Car. 2. cap.  
25.

Wine-Licences.

And it was further thereby Enacted, That it should be lawful for His Majesty, His Heirs, and Successors, from time to time to issue out under His or their Great Seal of England, one or more Commission or Commissions directed to two or more persons, thereby authorizing them to Licence, and give authority to such person or persons as they should think fit, to sell and utter by Retail, all and every or any kinde of Wine or Wines to be drunk and spent, as well within the House or Houses, or other place in the Tenure or Occupation of the Party so Licenced, as without, in any City, Town, or other place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed; and such Commissioners are to contract for selling and uttering of Wines by Retail in any City or other place as aforesaid, in such manner and form, and under such Provisoos as in the said Act is mentioned. And it is further provided by the said Act, That the Rents, Revenues, and Sums of Money arising by the said Act, should be duly and constantly paid, and answered into His Majesties Receipt of Exchequer, and not be charged or chargeable, either before it be paid into the Exchequer, or after, with any Gift, or Pension; as by the said Act, amongst divers other Provisoos and Clauses may more at large appear.

12 Car. 2. cap.  
25.  
Post-Office.

And also one other Act was at the same time made, Entituled, An Act for Erecting and Establishing a Post-Office: Whereby it is Enacted, That from thenceforth, there should be one General Letter-Office, erected and established in some convenient place within the City of London, from whence all Letters and Pacquets may be sent into any part of the Kingdom of England, Scotland, and Ireland, or other of His Majesties Dominions, or unto any Kingdom or Countrey beyond the Seas: And that one Master of the said General Letter-Office, shall be from time to time appointed by the Kings Majesty, His Heirs and Successors, by His or their Letters Patents, under the Great Seal of England, by the name and stile of His Majesties Post-Master-General; which said Post-Master and his Deputy and Deputies, by him thereunto sufficiently authorized, and his and their Servants and Agents, and no other person shall have the receiving, ordering, or sending Post of all Letters and Pacquets whatsoever, to be sent to and from the places aforesaid (except as therein and thereby is excepted) And it was thereby Provided, That such Post-Master-General, and his Deputy and Deputies may demand, have, receive, and take for the Portage of all such Letters which he shall convey as aforesaid, and for the providing and furnishing Houses for Chozow-Posts, according

according to the Rates therein mentioned; And that His Majesty, His Heirs and Successors, may grant the said Office of Post-Master-General, with the Powers and Authorities thereunto belonging, and the several Rates of Postage therein mentioned, and all Profits, Priviledges, Fees, Perquisites, and Emoluments thereunto belonging, either for life or term of years, not exceeding One and twenty years, to such person and persons, and under such Covenants, Conditions, and yearly Rents to His said Majesty, His Heirs and Successors reserved, as he or they shall from time to time think fit; As by the said Act, amongst divers other Clauses and Provisions therein contained may more at large appear; both which Acts have been confirmed by this present Parliament.

Now forasmuch, as the Kings most Excellent Majesty is graciously pleased out of His Princely care, and great love and affection to His most entirely beloved Brother James Duke of York, for, and towards the Maintenance and Support of the said Duke his State and Dignity, to Grant and Assign all and every the Power and Powers, Authority and Authorities of giving License to any person or persons to sell or utter by retail, all and every, or any kinde of Wine or Wines whatsoever, with all Rents, Sum and Sums of Money, Revenues, Profits and Emoluments whatsoever, that shall or may arise from, or out, or by reason of such power of Licensing the Retailing of Wines, or Forfeitures for Retailing of Wines without such Licenses, unto the said James Duke of York, and to the Heirs-Males of his Body begotten, or to be begotten: And also all the Rents, Sum and Sums of Money, and Revenues that shall arise, grow, and become due, of, or from the said General Letter-Office, or Post-Office, or Office of Post-Master-General, unto the said James Duke of York, and the Heirs-Males of his Body begotten, or to be begotten.

A Revenue to be settled on the Duke of York in Special Tail.

Be it therefore Enacted and Declared by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That the said James Duke of York, and the Heirs-Males of his Body begotten, or to be begotten, shall have all and every the Powers and Authorities aforesaid, to give and grant Licenses to such person or persons, as he or they shall think fit, to sell and utter by Retail, all and every, or any kinde of Wine or Wines whatsoever to be drunk and spent, as well within the house and houses, or other place in the Tenure or Occupation of the party so Licensed, as without in any City, Town, or other place whatsoever, within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, together with all benefits and profits thereof: And also, that the said Duke and the Heirs-Males of his Body begotten, or to be begotten, shall have that moiety of the Forfeitures and Penalties, which by the said recited Act is given to His Majesty, His Heirs, and Successors.

Wine Licences given to the Duke of York in Special Tail.

And it is hereby further Declared, That all and every other person or persons, which from time to time, or at any times hereafter shall be by the said James Duke of York, and the Heirs-Males of his Body begotten, or to be begotten, appointed, authorized, or deputed Agent or Agents, Commissioner or Commissioners, to Treat and Contract for giving Licenses and Dispensations to any person or persons for the selling and uttering Wines by retail in any City or Town, or other place as aforesaid, shall have the full and sole power and authority to Treat and Contract for giving Licenses to any person or persons for the selling and uttering Wines by retail in any City, Town, or other place as aforesaid, any Law, Statute, Grant, Usage, or Custom to the contrary, in any wise notwithstanding, in as full and ample manner as the Kings Agents or Commissioners might do by virtue of the said recited Act.

The Dukes Commissioners.

And be it further Enacted by the Authority aforesaid, That such person or persons as shall be appointed by the said James Duke of York, or the Heirs-Males of his Body begotten, or to be begotten, under his or their hand and

Commissioners may grant Licences to sell Wine.

Seal,



Seal, for granting Licences for selling and uttering Wines by retail, are hereby enabled under such Seal as the said Duke, or the Heirs-Males of his Body begotten, or to be begotten, shall appoint, to grant Licences for the selling and uttering Wines by retail to any person or persons, or for any time or times, not exceeding One and twenty years, if such persons shall so long live, and for such yearly Rents, and under such Conditions as they shall think fit, so as no Fine be taken for the same, but that the Rents or Sums of Money so agreed for and reserved, shall be duly paid at the times and places agreed for the payment thereof; for which Rents so reserved, in case the same shall not be paid, the said Duke and the Heirs-Males of his Body begotten, or to be begotten, shall and may have power by this Act to sue for the same by Bill, Plaint, or Action of Debt in any of His Majesties Courts of Record at Westminster, or elsewhere in his own name; or to sue for the same in His Majesties name in the Court of the Exchequer, at the Election of the said Duke, and the Heirs-Males of his Body begotten, or to be begotten: And that the discharge of the said James Duke of York, and of the Heirs-Males of his Body begotten, or to be begotten, or of his or their Receiver-General for the time being, shall be a full and effectual discharge to all intents and purposes, for all such Moneys as have or shall be received by vertue of the Act for Wine-Licences.

No Fines for Licences.

Suit for the Rent.

Discharges by the Dukes Receiver.

The King excluded to grant Wine Licences.

Former Licences, confirmed.

And the Rent paid to the Duke.

The Profits of the Post Office payable to the Duke of York.

Remedy to recover the Profits.

Provided always, That the Kings Majesty, his Heirs and Successors, shall not during the continuance of the said Estate-Tail, by himself, or Agents, grant any Commission or Commissions, Licence or Licences for the selling or uttering of any Wines by Retail.

And also Provided, That nothing in this Act contained, shall make void any Contracts, Leases, or Agreements that have been made by his Majesties Agents, for granting Licences for selling and uttering Wines by Retail, in pursuance of the said Act; but the same Contracts, Leases, and Agreements, shall remain in such force, as they were before the making of this Act, and that the Rents thereupon reserved, and all Arrears thereof, shall be paid unto the said Duke, and to the Heirs-Males of his Body begotten, or to be begotten.

And be it further Enacted by the Authority aforesaid, That all the yearly Rents, Sum or Sums of Money, Revenues, Issues, and Profits whatsoever, that shall grow due, accrew, or be payable unto his Majesty, his Heirs or Successors, for or by reason of the said General Letter-Office or Post-Office, or Office of Post-Master-General, or annexed, incident, or belonging to the said Post-Office, or General Letter-Office, or Office of Post-Master-General, or issuing out of the same, or accrewing, or growing due for, or by reason of the same, shall be, and hereby are vested and settled by vertue of this Act upon the said James Duke of York, and the Heirs-Males of his Body begotten, or to be begotten, with full and sole power from time to time for the said Duke, and the Heirs-Males of his Body begotten, or to be begotten, his and their Receivers-General to receive all and every the said Rents, Issues, and Profits accrewing for, or issuing out of the said Office; and from time to time to give Discharges for the Money so received.

Provided always, And be it Enacted by the Authority aforesaid, That none of the said yearly Rents, Issues, and Profits arising, growing due, accrewing, or issuing out of the said General Letter-Office, or Post-Office, or Office of Post-Master-General, shall for, and during the said Estate-Tail, be paid into the Exchequer, but onely to the said Duke, and to the Heirs-Males of his Body begotten, or to be begotten, his or their Receiver-General for the time being: And also, that it shall and may be lawful, to and for the said Duke, and for the Heirs-Males of his Body begotten, or to be begotten, in the Name of his Majesty, his Heirs or Successors, or in his or their own name to sue for the same, by Bill, Plaint, Information, Action of Debt, or otherwise, in any Court or Courts of Law or Equity, wherein no Protection, Wager of Law, or Escoign shall lie.

Provided

Prohibited also, That nothing herein contained shall make void the Grant made by His Majesty to Daniel Oneale Esquire, of the Office of Post-Master-General, or general Letter-Office, or Post-Office, for four years, and one quarter of a year, from the said Five and twentieth day of March, in the year of our Lord, One thousand six hundred sixty and three, under the yearly Rent of One and twenty thousand five hundred pounds for all the said Term (Except the last Quarter, which is paid aforehand) so as the said Rents be paid unto his said Highness James Duke of York, and to the Heirs Males of his Body begotten, or to be begotten.

The Interest of Dan. Oneale saved.

He paying his rent to the Duke.

Prohibited also, And it is hereby further Enacted and Declared, That it shall and may be lawful for the Kings Majesty, His Heirs and Successors, at any time or times, during the said Estate Tail, by Warrant under His Privy Seal, to charge any Sum, or several Sums of Money, not exceeding in the whole the Sum of five thousand three hundred fourscore and two pounds ten shillings, to be paid out of the Profits of the Office of Post-Master-General; to the which said Sum of five thousand three hundred fourscore and two pounds ten shillings, the several Sums and Payments now already charged thereupon, do in the whole amount (the Grant of which Sums are not to be avoided by this Act) And which said Sums of Money, not exceeding the said Sum of five thousand three hundred fourscore and two pounds ten shillings, to be granted by His Majesty as aforesaid, are and shall be by Authority of this Act confirmed and made in full force.

The King may charge a Sum to be paid out of the Post-Office.

Prohibited further, That the Kings most Excellent Majesty, His Heirs and Successors, shall have the nomination of the Post-Master-General of the said Post-Office, and shall from time to time nominate and appoint such person and persons as he or they shall please, to be Post-Master-General of the said Office, and may grant the same Office with the Power and Authority thereunto belonging, and the said Rates of Postage in the said Act mentioned, either for life or term of years, not exceeding one and twenty years, to such person or persons, as he or they shall think fit, under the most improved yearly Rent that can be reasonably had or gotten for the same by the said Duke, or the Heirs males of his Body begotten, or to be begotten, without Fines; the said yearly Rent to be reserved and payable to the said Duke, and to the Heirs males of his Body begotten, or to be begotten, and also under such Covenants, Conditions, and Agreements, as the said Duke, or the Heirs males of his body begotten, or to be begotten, shall think fitting; Any thing in this present Act contained to the contrary notwithstanding.

The King to appoint the Post-Master-General.

And to set the Rates of Postage.

The Rent payable to the Duke.

Prohibited always, and it is hereby Declared, That it shall and may be lawful, to, and for the said James Duke of York, and the Heirs males of his Body begotten, and to be begotten, to settle any part of the said Premises, not exceeding a Third part of the clear yearly value, over and above all Charges and Repairs, for a Joynture for his or their Wife or Wives; and also to Lease any other part of the said Premises for any number of years, not exceeding One and twenty years, and not exceeding one other third part of the clear yearly value of the Premises, over and above all other Charges and Repairs, in order to raise Portions for his or their younger Children.

The Duke may settle a third part in Joynture.

Prohibited also, That this Act, or any thing therein contained, shall not in any wise be prejudicial to the Privilege of the two Universities of this Land, or either of them, or to the Chancellor or Scholars of the same, or their Successors; but that they may use and enjoy such Privileges, as heretofore they have lawfully used and enjoyed; Any thing herein to the contrary notwithstanding.

Universities Privileges saved.

Prohibited also, That this Act, or any thing therein contained, shall not extend, or be prejudicial to the Master, Wardens, and Freemen and Commonalty of the Mystery of Vintners of the City of London, or to any other City,

Vintners of London Privileges.



St. Albans  
Priviledges.

or Town Corporate, but that they may use and enjoy such Liberties and Priviledges, as heretofore they have lawfully used and enjoyed; Any thing herein contained to the contrary in any wise notwithstanding.

Provided also, And be it Enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not in any wise extend to debar, or hinder the Mayor and Burgeses of the Borough of Saint Albans in the County of Hertford, or their Successors, from enjoying, using, and exercising of all such Liberties, Powers, and Authorities to them heretofore granted by several Letters-Patents, under the Great Seal of England by Queen Elizabeth and King James of famous memories, for the Creating, Appointing, and Licensing of Three several Wine-Cellars within the Borough aforesaid, for and towards the maintenance of the Free-School there; but that the same Liberties, Powers and Authorities shall be, and are hereby established and confirmed, and shall remain, and continue in, and to the said Mayor and Burgeses and their Successors, to and for the Charitable Use aforesaid, and according to the tenour of the Letters-Patents aforesaid, as though this Act had never been made; Any thing herein contained to the contrary in any wise notwithstanding.

Letters to or  
from Universities.

Provided always, That all Letters and other things may be sent, or conveyed to or from the two Universities, in manner as heretofore hath been used; Any thing herein to the contrary notwithstanding.

#### C A P. X V.

An Act for Encouraging the Manufactures of making Linnen Cloth and Tapestry.

Preamble.

Grievance.

Hemp and  
Flax Dressers  
may set up  
Trade, without  
being free.

Native or Alien.

Also Spinning,  
Weaving,  
Whitening,  
Linnen Cloth.

Aliens must  
take Oaths.

**W**hereas vast quantities of Linnen Cloth, and other Manufactures of Hemp and Flax, and of Tapestry Hangings, are daily Imported into this Kingdom from Foreign parts, to the great Detriment and Impoverishment thereof, the Honeys and quick Stock of this Kingdom being thereby daily greatly exhausted and diminished, and the poor thereof unemployed, while the Materials for the making of such Hangings, are here more plentiful, and better and cheaper then in those places from whence they are Imported, And Flax and Hemp might be had here in great abundance, and very good, if by setting up the Manufactures of such Commodities as are made thereof, it would be taken off the hands of such as sow and plant the same.

For the Encouragement therefore of those Manufactures, Be it Enacted, and it is hereby Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority thereof, That from and after the first day of October next ensuing, It shall and may be lawful for any person or persons whatsoever, Native or Foreigner, freely and without paying any Acknowledgement, Fee, or other Gratuity for the same in any place of England or Wales, privileged or unprivileged, Corporate or not Corporate, to set up and exercise the Trade, Occupation, or Mystery of breaking, hickling, or dressing of Hemp or Flax; as also for making and whitening of Thread; as also of Spinning, Weaving, Making, Whitening, or Bleaching of any sort of Cloth whatsoever made of Hemp or Flax onely: As also the Trade, Occupation or Mystery of making of Twine, or Nets for Fishery, or of Stobing of Cordage: As also the Trade, Occupation or Mystery of making any sort of Tapestry Hangings; Any Law, Statute, or Usage to the contrary in any wise notwithstanding.

And all Foreigners that shall really, and bona fide set up and use any of the Trades and Manufactures aforesaid, by the space of three years in this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweede, shall from thenceforth, taking the Oaths of Allegiance and Supremacy before two Justices of the Peace near unto their dwell-

dwellinges, who are hereby authorized to administer the same, enjoy all Priviledges whatsoever as the Natural born Subjects of this Kingdom.

And it is hereby Enacted and Declared, That such Foreigners as shall exercise any of the Trades aforesaid by vertue of this Act, shall not at any time be liable to any other, or greater Taxes, Payments, or Impositions, then such as are or shall be paid by His Majesties Natural born Subjects, unless in case they shall use and exercise Merchandize into, and from Foreign parts, in which case they shall be liable to pay such Customs as have usually been paid by Aliens during the space of five years next ensuing, and no longer.

Aliens of this Trade to pay no more Taxes then Subjects.

## C A P. XVI.

An Act for regulating the Herring, and other Fisheries. And for Repeal of the Act concerning Madder.

For the prevention of abuses in the packing and ordering of Herrings, and bringing that Commodity into credit in foreign Parts beyond the Seas, Be it Enacted, and it is hereby Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first day of August, One thousand six hundred sixty four, No white or red Herrings of English catching, shall be put to sale in England, Wales, or in the Town of Berwick upon Tweed, but what shall be packed in lawful Barrels or Cessels, and which shall be well, truly and justly laid and packed; And shall be of one time of Taking, Salting, SAVING or Drying, and equally well packed in the midst, and every part of the Barrel or Cessel, and by a sworn Packer; And the Barrel or Cessel marked or branded by such sworn Packer with a mark or brand denoting the gage of the Barrel or Cessel, and the quantity, quality and condition of Herrings packed therein, and the Town or place where they were packed; And the Bailiffs of Great Yarmouth for the time being, And the Mayor, Bailiffs, or other Head-Officer for the time being of every Port, Haven or Creek, out of which any Cessels or Ships do proceed to fish for Herrings, are hereby authorized and required before the first day of July, in the year One thousand six hundred sixty four, and before the first day of July in every year after, to appoint for their respective Haven, Port, or Creek, a competent number of able and experienced Packers, to view and pack all such white or red Herrings of English catching, as shall be brought into their Port, Haven or Creek, and well and truly to mark and brand the Barrels or Cessels in which they shall be packed, with such Mark or Brand as is above directed; and to administer to them yearly an Oath, (which Oath they are hereby authorized and appointed to give to them) for the well and true doing thereof according to this Act. And in case the said Bailiffs of Great Yarmouth, or the Mayor, Bailiffs, or other Head-Officer for the time being of any such Port, Haven, or Creek, shall not appoint and swear such Packers before such time in every year as is by this Act required, they shall for every default forfeit the Sum of One hundred Pounds of lawful Money of England; One Moiety to His Majesty, His Heirs and Successors, and the other Moiety to him or them that shall inform or sue for the same in any Court of Record, by Bill, Plaint, or other Action, wherein no Escoign, Protection, or Wager in Law shall be allowed; And for the better regulating of the Island, and Westmony Fisheries, and Preservation of the Spawn of Fish there, Be it Enacted, and it is hereby Enacted by the Authority aforesaid, That from and after the five and twentieth day of December, One thousand six hundred sixty three, no Ship or Cessel shall proceed upon a Fishing-voyage for Island or Westmony out of any Port, Haven or Creek in England or Wales; or out of the Port of Berwick upon Tweed, until the tenth day of March in

Herrings justly packed.

All in a Vessel to be of one taking and salting. Sworn Packer. Vessel marks.

Packers to be made.

Penalty for not appointing Packers.

Island, Westmony. Times to set forth to fish.



Penalty of setting out sooner.

No Toll for Fish.

Unlawful Nets.

None to steal or burn Utensils of Fishing.

In New-found-Land, Greenland.

Madder.

Bounding of the Fens.

any year, upon the pain of the forfeiture of every such Ship or Vessel, with all her Furniture, Tackle and Apparel, and of all the Fish caught in such Ship or Vessel. And it is hereby further Enacted by the Authority aforesaid, That no person or persons whatsoever, do collect, levy or take, or cause to be collected, levied, or taken in New-found-Land any Toll, or other duty of, or for any Cod or Poor John, or other Fish of English catching, under pain of the loss of double the value of what shall be by them levied, collected, or taken, or caused to be collected, levied, or taken; And that no Planter or other person or persons whatsoever, do cast or lay any Seme or other Net, in or near any Harbour in New-found-Land, whereby to take the Spawn or young Fry of the Poor John, or for any other use or uses, except for the taking of Bait onely upon pain of the loss of all such Semes or Nets, and of the Fish taken in them, or of the value thereof to be recovered in any of His Majesties Courts in Newfound-Land, or in any Court of Record in England or Wales, by Bill, Plaint, or other Action; wherein no Essoign, Protection, or Wager in Law shall be allowed.

And it is hereby further Enacted by the Authority aforesaid, That no Planter, or other person or persons whatsoever, shall burn, destroy, or steal any Boat, Cask, Salt, Nets, or other Utensils for fishing or making of Dyl, or other Goods or Merchandise left in any Harbour in New-found-Land, or Greenland by English; or burn, pull down, or destroy any House built by English in New-found-Land, or Greenland; to lye in during the Fishing season, or Stage built by them in either of the said places for the saving or ordering of Fish or making of Dyl, upon pain of the loss of double the value of what shall be by them stolen, burnt, or destroyed, to be recovered in any of His Majesties Courts in New-found-Land or Greenland respectively, or in any Court of Record in England, by Bill, Plaint, or other Action, wherein no Essoign, Protection, or Wager in Law shall be allowed.

And whereas upon the humble Petition and Complaint of the Merchants and Salters of the City of London, it doth appear, That some sorts of Madder very useful for Dying, cannot be Imported so pure and clean, as by one Act passed the last Session of this present Parliament, (Intituled, An Act for the Importation of Madder pure and unmixed) is directed and appointed; Be it Enacted, and it is hereby Enacted by the Authority aforesaid, That the said Act, and every Clause and Thing therein contained be from henceforth utterly void and repealed to all Intents, Purposes, and Constructions whatsoever.

#### C A P. XVII.

An Act for settling the Dreining of the Great Level of the Fens, called *Bedford Level*.  
Whereas certain Moores, Marshes, Fenny and Low surrounded Grounds within the Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge, and Huntington, and the Isle of Ely, were called the Great Level of the Fens; And after several fruitless Undertakings for Dreining the same, were upon the Desires of many persons of Worth and interested in the same, declared to be a Great and Noble Work, and of much Concernment to the whole Countrey, and at their earnest desire undertaken to be Dreined by Francis late Earl of Bedford, according to a Law of Sewers made at Kings Lynne in the Sixth year of the Reign of the late King Charles of glorious memory; which said Level is bounded as followeth, (viz.) Eastward from the Bridge and Cawsey of Stoake, unto Brandon Bridge upon the Uplands of Northold, Methold, Feltwell, Hockwold, and Wilton in the County of Norfolk, and from Brandon Bridge unto the end of Worlington-Load upon Mildenhall River, upon the Uplands of Brandon, the Low grounds of Wainsford excluding the same; the Uplands of Sakinheath, the Low grounds of Earsewell excluding the same: And the Uplands of Mildenhall in the County of Suffolk Southward from Worlington-Load, unto Burwell Block upon the Uplands of Freckingham, Ilham, Fordham, Soham, and Wickin, in the County of Cambridge, and excluding the Low grounds of Burwell, Landward, and other places lying Eastward

ward from Burwell Black aforesaid, and from thence unto the Hill near Anglsey Abbey upon the Uplands of Burwell Reach, Swaffham Pryor, Swaffham Bulbeck, and Botsham in the County of Cambridge; and from thence unto the Ferry-place at Clayhith upon the Uplands called Quayhall, the Low Ground called Low Fenne, and the Uplands of Hormingsley and Clayhith in the said County, excluding the Low grounds called Low Fenne and Offenne; and from the said Ferry-Place unto Over-Load upon the Uplands of Water-Beach, Cottenham, Ramp-ton, Winelingham and Over in the said County of Cambridge, and upon the Low grounds of Swacy in the said County, excluding the same Westward from Erich, unto the Dam lately made upon the River Neane near Standground upon the Uplands of Somersham and the Soake thereof, Warbois, Wistow Berry, Ramsey, Upwood, Ravelly, Wood-walton, Sawtre, Connington, Glatton, and Holme Caldecott, Denton, Stilton, Yaxley, Fasset, and Standground in the County of Hunting-ton, excluding the Low grounds lying on the Northside of the River of Owse a-bobe Erich; and from the said Dam unto Peterborough Bridge upon the said River of Neane; and from thence unto the Ferry-Place near Waldron Hall upon the Uplands of Peterborough, and the Soake thereof in the County of Northampton; and Northward from the said Ferry-Place near Waldron Hall unto Crowland Bridge upon the River of Welland; and from thence to Dowfedale upon the Bank of Great Porland; and from thence unto Guyhurne upon the Southeast Bank; and from thence unto Tilnehurne upon the Bank of the Fenne Ground called Waldersea; and from thence unto Elme Leame at Grangers House upon the Bank of the Fenne Ground called Coldham; and from thence unto the River of Neane near Thurlings in Upwell upon the Bank of Needham called Bishops Dikes and from thence unto Well Creek, at the North-west corner of Waffingham Fenne, upon the Bank of the Grounds in Vpwell and Outwell, called Playfeild and Churchfeild, excluding the aforesaid Fennes and Grounds called Waldersea, Coldham, Needham, Playfeild, and Churchfeild; and from thence unto Salters-Load upon the New Podyke Bank; and from thence unto the Mouth of the River Wisley upon the River Owse, and from thence unto Helgey Bridge upon the River Wisley, and from thence unto the Uplands at the end of the Bank of the Grounds late of Edmond Skipwith Esquire deceased, upon the said Bank, and from thence unto Stoake Bridge upon the Uplands of Roxham, Deereham, Weereham, Wretton and Stoake in the said County of Norfolk; Except the im-banked Grounds late of Edmond Skipwith Esquire, lying on the North-side of the River of Owse: And whereas the said Francis late Earl of Bedford was to have for his recompence of effecting that difficult work, onely Ninety five thousand Acres of the said Grounds, with convenient High-wayes and Passages to the same; And the New River Cutts and Dreyne to be made by the said Earl and his Assigns, and the Banks of the same, and the Fozelands in the Inside of the said Banks not to exceed Sixty foot in breadth; Which was a work of so Great and Publick Concernment, that his said late Majesty gave great Encouragement to the said Francis late Earl of Bedford and others, whom he had taken in to be Adventurers and Participants with him therein, upon the Covenants, Con-ditions and Agréments contained and specified in and by a certain Indenture of Fourteen parts, bearing date the Seven and twentieth day of February in the seventh year of the Reign of his said late Majesty, and his Royal Assurance to further it by his Concurrence to an Act of Parliament for establishing thereof, and did by Letters Patents under the Great Seal of England Incorporate the said late Earl, his Adventurers and Participants to have Succession for ever; and in Order to the effecting thereof, the said late Earl and his Adventurers and Participants bestowed great Sums of Money for perfecting the same, and after his death and some interruptions, William now Earl of Bedford, Son and Heir to the said Earl Francis, with divers of his Adventurers and Participants, by colour of a pretended Act of Parliament of the Nine and Twen-tieth day of May, in the year of our Lord One thousand six hundred forty and nine, proceeded in the Compleating and finishing the said Works; And

Recompence to  
the first Under-  
taker.

Corporation of  
Fenne Dray-  
ners by a pre-  
tended Act.

And



And the Commissioners appointed by that pretended Act, did adjudge the same Dyepped; but the same cannot be preserved without a perpetual constant care, great charge, and orderly Government, which being represented to the Kings most Excellent Majesty that now is, he hath been graciously pleased to declare more then an Ordinary Willingness to promote and countenance a Work of so Publick Concernment, and many ways advantageous to this his Kingdom. To the end therefore that a Work of this nature may receive a Publick Support and Encouragement;

The Corpora-  
tion created *de  
novo.*

Their Name.

They may ap-  
point Officers  
in futuro.  
The present  
Officers.

Capacity to sue  
and be sued.

Earl of Port-  
land's sale of  
his share cor-  
firmed.

Be it enacted by the Kings most Excellent Majesty, with the Advice and Assent of the Lords Spiritual and Temporal, and Commons in this Parliamēt Assembled, and by the Authority of the same, That the said William Earl of Bedford, Son and Heir of the said Francis Earl of Bedford, and the Adventurers and Participants of the said Earl Francis and Earl William, or either of them, their Heirs and Assigns, in such manner as is herein contained, shall be a Body Politick and Corporate in Deed and Name, and have Succession for ever, by the Name of the Governour, Bayliffs, and Commonalty of the Company of Conservatores of the Great Level of the Fens; which Corporation shall consist of One Governour, Six Bayliffs, Twenty Conservatores and Commonalty, and shall have and use a common Seal to be appointed by themselves, and assemble and meet together, when, where, and as oft as they please, and appoint a Register, Receiver, One or more Serjeants at Law, and other Officers, and allow them Salaries, and remove them, and make new at their pleasure. And the said William Earl of Bedford is to be the first Governour, Richard Lord Gorges, Sir Richard Onslow Knight, Sir William Terringham Knight of the Bath, Samuel Sandys, Thomas Chichely, and Samuel Fortrey, Esquires, the Six first Bayliffs: Sir Gilbert Gerhard junior Knight, William Denton, William Crane, Edmond-Berry Godfrey, Arthur Evelyn, Samuel Smith, Roger Jennings, Robert Castle, Robert Hampson, Joseph Ayloffe, Esquires; Thomas Lord Culpepper, Sir John Hewett Baronet, Arthur Onslow, Robert Phillips, Anthony St. John, Esquires; Sir Oliver St. John, Sir Charles Harbord, Knights; Francis Hoblyn, Samuel Sandys junior, and Robert Terringham, Esquires; the first Conservatores. And the said Governour, Bayliffs, and Conservatores to continue until Wednesday in Whitsun-week, in the year of our Lord One thousand six hundred sixty and four, and from thenceforth until new Elections by the said Corporation, or the major part which shall be then present; And shall be capable to sue and be sued, and without licence of Courtmain, to purchase Mannors, Lands, Tenements and Hereditaments, not exceeding Two hundred pounds per annum, and Goods and Chattels, and to dispose thereof in the Name, and to the use of the said Corporation, and the said Governour, Bayliffs, and Conservatores, or any five or more of them, whereof the said Governour or Bayliffs, or any of them to be Two, shall and may lay Taxes from time to time upon all the said Ninety five thousand Acres, only for support, maintenance, and preservation of the said Great Level, and leby the same with penalties for non-payment, not exceeding a third part of the Tax, and all other things do in order, to the support, maintenance, and preservation of the said Great Level and Works made and to be made.

And whereas by the said Law of Sewers, Twelve thousand Acres parcel of the said Ninety five thousand Acres, was designed and intended to his said late Majesty, and were set forth and allotted by bounds in fealty, and his said late Majesty was in possession thereof, and granted, assigned, allotted, and set out by bounds Two thousand Acres, parcel of the said Twelve thousand Acres, by Letters-Patents unto Jerome Earl of Portland, his Heirs and Assigns, of which said Two thousand Acres, the said Earl of Portland hath sold away about One thousand five hundred Acres in several parcels to several persons, their Heirs and Assigns, for valuable considerations, and the

the residue thereof being about fife hundred Acres, hath granted and conveyed unto his Brother Benjamin Weston Esquire, and his Heirs, upon several Trusts, agreed upon between the said Earl of Portland and Benjamin Weston by writing for that purpose;

Be it therefore Enacted by the Authority aforesaid, That the said Two thousand Acres, or such other Lands of equal value as shall be set forth in Exchange of the same, in case the aforesaid Two thousand Acres, or any part thereof shall hereafter be adjudged to have been unduly set out, shall be, and hereby are vested, settled, and established in the said several and respective persons (to whom the said Earl of Portland hath so conveyed or mentioned to convey the same) their Heirs and Assigns respectively, to each person his Heirs and Assigns, his and their several and respective Share and Shares that was so respectively to each of them conveyed or mentioned to be conveyed by the said Earl of Portland, to be held and enjoyed by them and each of them, his Heirs and Assigns, his and their own Share and Part only in severalty, according to the intent of the said Conveyances thereof to them respectively made by the said Earl of Portland, upon the same Trusts nevertheless for and concerning the said fife hundred Acres granted or mentioned to be granted to the said Benjamin Weston, which the said Earl of Portland and Benjamin Weston had declared and agreed upon between them as aforesaid: Which said Two thousand Acres shall be holden of the Kings Majesty, his Heirs and Successors of the Manor of East Greenwich, by Fealty only in Free and Common Socage, and not otherwise, and subject nevertheless with the residue of the Ninety fife thousand Acres in equal proportion to all Taxes and Charges necessary and conducing to the preservation of the said Great Level from Drowning.

The tenure of  
Fen-lands.

And be it further Enacted by the Authority aforesaid, That the Eighty three thousand Acres remainder of the said Ninety fife thousand Acres, with the said Ways, Passages, new Rivers, Cuts, Dreyms, Banks, and Fens-lands, ober and above the said Ten thousand Acres residue of the said Twelve thousand Acres which were allotted in severalty, and of which his said late Majesty was in possession as aforesaid, are hereby vested and settled in the said Governour, Bayliffs, and Commonalty of the Company of Conservators of the said great level of the Fens, and their Successors: In trust nevertheless for the said William Earl of Bedford, and the Adventurers and Participants of the said Earl Francis and Earl William, or either of them, their Heirs and Assigns, in such manner and wise as is herein after more particularly and especially limited and provided, and according to such parts and proportions as they respectively now hold and enjoy, or by virtue and provision of this Act ought to hold and enjoy, subject and liable likewise to the payment of all Taxes and Charges as aforesaid, to be holden of the Kings Majesty, his Heirs and Successors, of the Manor of East Greenwich, by Fealty only in free and common Socage, and not otherwise: And the said Ten thousand Acres residue of the said Twelve thousand Acres (whereof his said late Majesty was in possession as aforesaid) are hereby vested and settled in his Majesty that now is, and his Assigns, subject and liable with the residue of the said Ninety fife thousand Acres to the same Taxes and Charges before specified. And because the said Great Level of the Fens extends into the said Six Counties besides the Isle of Ely, and so far as much as Commissioners of Sewers cannot legally proceed in execution of their Commission, but by a several Jury of every County to enquire of the matters within their Commission in that County, which hath heretofore enforced the said Earl, his Participants and Adventurers, Commissioners, and Counties, to very great trouble, loss, and expence both of money and time: For avoiding which Inconveniences, It is hereby further Enacted by the Authority aforesaid, That the said Governour, Bayliffs, and Conservators of the said Corporation for the time being, or any fife or more of them, whereof the

The Earl of  
Bedford's Title confirmed.

The tenure thereof.

The Kings share therein.

The Corporation created Commissioners of Sewers in many Counties where the Fens lie.

said



said Governour or Bayliffs for the time being, or their Successors, or any of them to be two, for maintenance and preservation of the said Great Level by convenient Outfalls to the Sea, shall for ever hereafter be, and are hereby made and constituted Commissioners of Sewers for and of the said Great Level of the Fens: And the said Governour, Bayliffs, and Conservators, or any five or more of them, whereof the said Governour or Bayliffs and their Successors, or any of them to be two, are hereby enabled and empowered from henceforth, to use and exercise the Power and Authority of Commissioners of Sewers within the said Great Level of the Fens, and of the Works made or to be made without the said Great Level for conveying of the Waters of the said Great Level by convenient Outfalls to the Sea, touching all matters and things whatsoever happening to be executed or done within the said Great Level, or the said Works without the said Great Level, enquirable, punishable, or to be done by Commissioners of Sewers, and therein to act and proceed by one or more Juries of good and lawful men, inhabiting within any part or place within the Boundaries of the said great Level of the Fens, though in several Counties, as if the said Great Level of the Fens lay within one of the said Counties only, and shall have power to employ the said Serjeants or any of them for the time being, by Warrant or Precept from the said Governour, Bayliffs, and Conservators, and their Successors, or any five or more of them; whereof the said Governour or Bayliffs, or any of them, to be two, under the common Seal of the said Corporation, to Summon and Return Juries within the Boundaries of any part of the said Great Level, and execute all Precepts and Processes from them, from time to time, and all other things do, as fully as any Sheriff within his respective County may or can do by Warrant or Precept from Commissioners of Sewers; which Juries are to appear at the times and places set or appointed for them to appear before the said Governour, Bayliffs, and Conservators, and their Successors, or any five or more of them; whereof the said Governour and Bayliffs, and their Successors, or any of them to be two; And are hereby Impowered to Inquire of, Present, and Try all Matters within the said Great Level, and of and concerning the said Works made or to be made without the said great Level, for conveying of the Waters of the said Great Level by convenient Outfalls to the Sea, within the power of Commissioners of Sewers, as if the same lay within any one of the said Counties, or as if the said Great Level were one distinct County of it self: And the said Governour, Bayliffs, and Conservators, or any five or more of them, whereof the said Governour or Bayliffs, or any of them to be two, shall have further power, as well for the maintenance of the said Great Level, as for laying and levying of Taxes upon the said Ninety five thousand Acres, to use and exercise within the said Great Level such and the like Laws and Customs, and Constitute and Appoint such and the like Officers, from time to time, as are, or lawfully may be used in Rumaey Marsh in the County of Kent; they who exercise the said Power of Commissioners of Sewers, first taking the Oath which Commissioners of Sewers are by the Law to take; the which Oath the said Governour and Bayliffs, or any of them are hereby Impowered to Administer from time to time, without any further Commission.

Their power as  
Commissioners  
of Sewers.

Commissioners  
of Sewers  
Oath.

The want of  
the right Vill  
where the  
Land lies shall  
not vitiate pro-  
ceedings.

And because the Metes and Boundaries of the said Grounds within the said Great Level, as to the Counties and Parishes, are very uncertain and hard to be distinguished; Be it therefore further Enacted, That every Writ, Bill, Plaint, Count, Declaration, Information, Presentment, and Indictment, of, for, or concerning the said Grounds within the said Great Level of the Fens, or any part or parcel of the same, or any Trespass, Offence, or Wrong done, acted or committed within the said Great Level, and proceedings thereupon, shall be good and sufficient in Law, though the County, Parish, Town, or Place, or any of them in

in such Writ, Bill, Plaint, Count, Declaration, Information, Presentment, or Indictment be not rightly named, so as there be such other certainty or Description of the place whereby the same is or may be commonly known.

And be it further Enacted, That no other Commissioners of Sewers shall intermeddle within the said Great Level, or within any the Works made or to be made for Support, Maintenance, or Preservation of the said Great Level, within or without the said Great Level as aforesaid, otherwise then hereafter in this Act shall be provided.

No other Commissioners of Sewers to intermeddle.

And be it further Enacted, That all Conveyances by Indenture, of the said Ninety five thousand Acres, or any part thereof, entered with the said Register, in a Book to be kept for that purpose, shall be of equal force, to convey the Freehold and Inheritance of the said Ninety five thousand Acres, or any part thereof, as if the same Conveyances by Indenture were for valuable considerations of money, Enrolled within Six Months, in one of the Kings Courts of Record at Westminster; And no Lease, Grant, or Conveyance of, or charge out of, or upon the said Ninety five thousand Acres, or any part thereof, except Leases for Seven years or under, in possession, shall be of force but from the time it shall be entered within the said Register as aforesaid; the Entry whereof being Endorsed by the said Register, upon such Lease, Grant, Conveyance, or Charge, shall be as good and effectual in the Law, as if the Original Book of Entries were produced at any Trial at Law, or otherwise.

Conveyances entered in Books countervails Enrolment.

And be it further Enacted, That the said Governour, Bayliffs, and Commonalty shall execute Estates according to the aforesaid Trust under their Common Seal, the Taxes and Penalties then in Arrear, being first paid, which for non-payment are by vertue of this Act to be levied by Sale of the Lands.

The Corporation to convey Estates by common Seal.

And be it further Enacted, That for the Levying such Taxes and Penalties as are now in Arrear, or at any time since the Thirtieth day of September, in the year of our Lord One thousand six hundred fifty and eight (or other then such as are hereby otherwise directed to be Levied) or which shall be set and imposed upon the said Ninety five thousand Acres by vertue of this Act, and shall be in Arrear upon the respective parts and proportions of the said Ninety five thousand Acres, the said Governour, Bayliffs, and Conservatores of the said Corporation, and their Successors for the time being, or any five or more of them, whereof the said Governour and Bayliffs for the time being, and their Successors, or any of them to be two, for levying such Taxes and Penalties, which now are, or shall be so in Arrear, upon the respective parts and proportions of the said Ninety five thousand Acres, shall on Wednesday and Thursday in Whitsun-week, or either of them every year at the Shire-House in Ely aforesaid, in the said Isle of Ely, have power only to sell so much of such parts and proportions of the said Ninety five thousand Acres, upon which any Tax shall be in Arrear, or Penalties in such proportion, as the said Governour, Bayliffs, and Conservatores of the said Corporation or their Successors, or any five or more of them, whereof the said Governour and Bayliffs, or any of them to be two, shall judge to be sufficient to raise such Taxes and Penalties, by any writing under the Seal of the said Corporation; and the person or persons to whom such Sales shall be made, shall be a lawful Purchaser and Assignee of so much as shall be sold, to all intents and purposes whatsoever.

Part of the Lands may be sold to pay Taxes, &c.

Provided, That by any colour of any Sale for non-payment of Taxes, any Tenant or Tenants at will, or by Lease, Indented upon improbed Rent of any part of the said Ninety five thousand Acres, shall not be removed from his or their possession, until he or they shall have taken his or their Crop from off the Premises so sold, paying reasonable Rent proportionable to the time that such possession shall from and after such Sales be continued; And such

Provision for those who manured the land, to take their Crop.



And shall continue Tenants paying their Rents.

Tenant or Tenants as shall hold any part of the said Ninety five Thousand Acres by Lease as aforesaid, shall and may, if he or they shall think meet, continue out their respective terms, paying their Rent to such Purchaser in proportion, to the quantity of Acres so purchased; Any thing herein contained to the contrary in any wise notwithstanding: Provided, That the said Corporation, nor their Successors shall not sell any part or proportion of the said Ninety five thousand Acres for any Tax or Penalty in Arrear, which Tax or Penalties shall not be in Arrear by the space of Four Months next before the Sale, nor any more Lands then only for the raising of such Taxes and Penalties.

Notice of Lands to be sold for Taxes, &c.

Provided also, That the said Corporation shall give publick notice from time to time, of the parts and proportions of the said Ninety five thousand Acres, for which any Tax or Penalties is, or shall be in arrear, by affixing openly at the Shire-Houle or Market-place in Ely aforesaid, a Schedule in Parchment under the Seal of the said Corporation, containing such parts and proportions of the said Ninety five thousand Acres, for which any Tax or Penalty is, or shall be in arrear, with the name and names of the respective Owner or Owners, entered upon the Tax-Roll, with the said Corporation, of the said parts and proportions of the said Ninety five thousand Acres so in arrear.

The Corporation may erect new Engines.

And be it further Enacted, That the said Corporation shall and may from time to time erect any new works within the said Great Level, or without the said Great Level, for conveying the Waters of the said Great Level, by convenient Out-falls to the Sea; so always that if they cut any several grounds, they give full recompence and satisfaction for the same, in such manner as shall be hereafter in this Act provided. And if any person or persons, shall cut, throw down, or destroy any of the said Works made or to be made, as aforesaid, the parties offending shall answer treble damages to the said Corporation, and Costs of Suit to be recovered in an Action of Trespass, to be brought by the said Corporation, in any of His Majesty's Courts of Record; And if such cutting, throwing down, or destroying, shall be maliciously done, the same shall be punished, as for the cutting the Podyke in Barsh-Land.

Penalty for demolishing Works.

The Governours and other Officers Oaths.

And be it further Enacted, That the said William Earl of Bedford, nominated to be Governour, and every other from time to time into that Office chosen, shall (before he take upon him, or them, the exercise of that Office) take an Oath, That he will well and truly execute that Office in all things; the which Oath shall and may be administered by the said Bayliffs or any one of them: And the said Bayliffs, Conserbatozs, Register, Receiver, or other Officer nominated as aforesaid, and every other from time to time, into any of the respective Offices to be chosen, shall (before he or they take upon him or them the Exercise of the said respective Offices) take the like Oath for the true executing their respective Offices; the which Oath shall be administered by the said Governour, Bayliffs, and Conserbatozs, or any two or more of them, without any Commission or further Warrant.

Corporation perpetuated by choosing new members.

And for the continuance of the said Corporation in Succession for ever, Be it further Enacted, That the said Governour, Bayliffs, Conserbatozs, and Commonalty upon Wednesday in Whitsun-week yearly, shall at a Publick Meeting to be holden for the said Corporation, by the greater number then present, (whereof the said Governour, or one of the Bayliffs to be one) elect a new Governour, Bayliffs, and Conserbatozs respectively: Provided, That none be capable to be, or continue Governour or Bayliffs, that hath not Four hundred Acres or more of the said Ninety five thousand Acres, nor to be a Conserbatoz that hath not Two hundred Acres, or more, of the said Ninety five thousand Acres, nor any of the Commonalty to have a voice in Elections, that hath not One hundred Acres or more of the said Ninety five thousand Acres. And that the said Governour, Bayliffs, and Conserbatozs, or any of them, shall

shall and may be removed by the said Governour, Bayliffs, and Conserbatores, and Commonalty, or the greater number of them present at their Publick Meetings, whereof the said Governour or one of the Bayliffs to be one, and new chosen in the place of him or them so dead or removed: And the said Governour, Bayliffs, and Commonalty also, shall have further power to have, demand, and receive an Account from all and every the Officers, Agents, and Servants, their Executors and Administrators heretofore employed, or hereafter to be employed for the receiving and paying of money, for or in retaliation to the carrying on of the Works of the Dyeing of the said Great Lebel, and shall and may sue for and recover the same; and that all Arrears of Rent already incurred upon, or out of any part of the said Ninety five thousand Acres upon any Contract or Lease of the said Premises, or any part or parcel thereof, shall be received and recovered, as if the said pretended Act had been a good and effectual Act: And if any Suit be commenced against the said Corporation, or any person for any matter or thing, done in pursuance of this Act, then he or they shall or may plead the general Issue, and give the special matter in Evidence upon any Tryal to be had touching the same, which shall be as good and effectual in Law, as if the same had been specially pleaded, and the Jury upon the Tryal to give a Verdict accordingly.

Under-Officers accountable.

Officers sued may plead the General Issue.

Provided always, and be it further Enacted by the Authority aforesaid, That as touching and concerning such part and parcel of the said Eighty three thousand Acres, whereof any person or persons attainted, or that shall be attainted, was or were in possession at any time since the Nine and twentieth day of May, in the year of Our Lord One thousand six hundred forty and nine, under pretended Sales thereof respectively made by colour of the said pretended Act, or under any other Title or pretended Title whatsoever, The Kings most Excellent Majesty, His Heirs, Successors, and Assigns shall have the same and like benefit, advantage, and interest in all and every the said parts and parcels of the said Eighty three thousand Acres, and no other then as the said persons so attainted, or which shall be attainted, could or ought to have by virtue of this Act, in case they had not been so attainted, or shall not be attainted.

Titles of attainted persons vested in the King.

And whereas the Shares, Lots, Parts, and Proportions of and in the said Ninety five thousand Acres, which in pursuance of the said Indenture of Fourteen parts, and by virtue or intention of the said Act and Law of Sewers made at Lynne, do belong and appertain to the said Samuel Sandys the elder, or his Trustees, Sir William Terringham, Sir Richard Onslow, and other the Assigns and Trustees of Henry late Earl of Arundel and Surrey, deceased, Arthur Earl of Anglesey, Thomas Lord Culpepper, Robert Phillips, Robert Scawen, and to divers other persons the Participants of the said Earl Francis, and Parties to the said Indenture, or their respective Heirs, Executors, Administrators, or Assigns, are now possessed and enjoyed by divers persons, who took, contracted for, or accepted of, or by such who claim and derive their Interest and Title from and under such persons as did take, contract for, or accept of pretended Estates or Conveyances of the same, made, or pretended to be made by certain persons mentioned in and by the said pretended Act of the Nine and twentieth day of May, One thousand six hundred forty and nine, to have authority to sell the Shares, Lots, Parts, and Proportions of such of the Adventurers and Participants of the said Earl Francis, and of their respective Heirs and Assigns, as should refuse or make default of payment of such Taxes, as should by colour and in pursuance of the said pretended Act be imposed upon them respectively, in respect of their Shares and Lots, in or out of the said Ninety five thousand Acres;

Be it therefore Enacted by the Authority aforesaid, That the said Governour, Bayliffs, and Commonalty of the said Company of Conserbatores of the said Great Lebel of the Fens, and their Successors, shall actually

Provision for certain particular mens rights.



stand seised and possessed of all and every the Shares, Lots, Parts, and Proportions last mentioned in trust, nevertheless to and for the use and behoof of the said Samuel Sandys the elder, or his Trustees in trust for him, Sir William Terringham, Sir Richard Onslow, and others the said Assignees and Trustees of Henry late Earl of Arundel and Surrey, deceased, Arthur Earl of Anglesey, Thomas Lord Culpepper, Robert Phillips, Robert Scawen, and of their respective Heirs and Assigns, and to and for the respective uses and behoofs of the said other persons, the Participants of the said Earl Francis, and Parties to the said Indenture of Fourteen parts, and of their respective Heirs and Assigns now out of possession of their respective Shares, Lots, Parts, and Proportions of the said Ninety five thousand Acres, as heretofore in or about the Month of October, in the Thirteenth year of the Reign of the late King Charles of ever blessed memory, were respectively allotted, severed, set forth, or divided, for or as the respective Shares, Lots, Parts, and Proportions of such of the Adventurers, the Participants of the said Earl Francis, and Parties to the said Indenture of Fourteen parts, their respective Heirs, Executors, Administrators, and Assigns, from and under whom the said Samuel Sandys the Elder, or his Trustees, Sir William Terringham, Sir Richard Onslow, and others the Assignees and Trustees of Henry late Earl of Arundel and Surrey, deceased, Arthur Earl of Anglesey, Thomas Lord Culpepper, Robert Phillips, Robert Scawen, and the said other persons, the Participants of the said Earl Francis, and their respective Heirs, Executors, Administrators, and Assigns, now out of possession of their respective Shares, Lots, Parts, and Proportions, do respectively claim and derive their said Shares, Lots, Parts, and Proportions; And the said Governour, Bayliffs, and Commonalty of the Company of Conservators, are hereby authorized and required to execute respective Estates, of the said Shares, Lots, Parts, and Proportions accordingly, subject and liable nevertheless with the residue of the said Ninety five thousand Acres, in equal proportion to all Taxes and Charges to be laid and imposed by virtue of this Act for preservation of the said Great Level from drowning.

And whereas the persons now in possession of the said last mentioned Shares, Lots, Parts, and Proportions of the said Ninety five thousand Acres, whereof pretended Estates and Conveyances were taken, contracted for, accepted of, as aforesaid, do pretend that they or those under whom they do respectively claim and derive their Right, Title, or Pretensions to the said Shares, Lots, Parts, and Proportions respectively, have laid out and disbursed for Taxes for and towards the maintenance, preservation, and repair of the works of the said Great Level heretofore Created by the said Earl Francis and his Participants, and for and towards their erection of new and necessary Works, for the better and more effectual Dyeing of the said Great Level, and for building upon the said Shares, Lots, Parts, and Proportions, more moneys then the clear Rents, Issues, and Profits, of the said Shares, Lots, Parts, and Proportions have amounted to since the said respective pretended Estates and Conveyances were first taken, contracted for, or accepted, as aforesaid;

Be it therefore Enacted by the Authority aforesaid, And it is hereby Enacted, That the chief Justice of the Court of Kings Bench, the chief Justice of the Court of Common-Pleas, the chief Baron of the Court of Exchequer, and the Justices of the said Court of Common-Pleas for the time being, or any two or more of them, are hereby constituted, appointed, and erected a Judicature, or Commissioners to hear, Order, Judge, Decree, and Determine upon Bills and Answers, to be Exhibited, or otherwise as they shall think fit, between the said persons who are now in the Possession of the said respective Shares, Lots, Parts, and Proportions, and the respective Heirs and Assigns of the said persons now in possession as aforesaid; And the said Sir Richard Onslow, and other the said Assignees and Trustees of the

The Judges at  
Westminster  
constituted  
Judges to hear  
and decree be-  
tween Posses-  
sors and certain  
Owners.

the said Henry late Earl of Arundel and Surrey deceased, Arthur Earl of Anglesey, Thomas Lord Culpepper, the said Samuel Sandys the elder, or his Trustees, Sir William Terringham, Robert Phillips, Robert Scawen, and the said other persons Participants of the said Earl Francis and their respective Heirs and Assigns, who are now out of the possession of the said Shares, Lots, Parts, and Proportions respectively, and to whom respective Estates are by vertue of this Act to be executed of the same as aforesaid; And the said Judicature or Commissioners, or any two or more of them are hereby authorized out of the said Shares, Lots, Parts, and Proportions, to Order, Adjudge, Decree and Determine to either of the said Parties respectively, such recompence and allowance as they the said Judicature or Commissioners, or any two or more of them shall see cause: And for the better enabling the said Judicature or Commissioners to proceed to the hearing, ordering, adjudging, decreeing and determining, and for putting in due and speedy execution such Order, Judgement, Decree, and Determination, as they or any two or more of them shall make between the said parties;

It is hereby further Enacted by the Authority aforesaid, That they the said Judicature or Commissioners, or any two or more of them, shall have such and the like Power and Authority, as the High Court of Chancery hath in cases before the said Court depending, and for putting in execution the Decrees of the said Court. And to the end that the said Judicature may be the better enabled to judge of the Rights and pretensions of either party.

Those Judges  
power.

Be it further Enacted by the Authority aforesaid, That in every Decree or Determination which they shall make by vertue and in pursuance of this Act, they shall have regard to the sum and sums of money actually disbursed, and expended by either party in the Works of Dyeing the said Great Livel, and in the preservation and reparation of the same; and also to the respective Times of such disbursements and Expence, defalking thereout such sum and sums of money as have been received by either party, their Tenants or Assigns, for the Rents, Issues and Profits of the same, and abating out of the Interest of the Money disbursed by either party, so much as the Interest of the Money received by such party for the Rents, Issues and Profits of the same doth amount unto. And to the intent that the persons who by the true intent and meaning of this Act are to be put into possession of any part of the said Eighty three thousand Acres, may not by undue delays, or by any other means or pretensions be kept out of the possession of the same.

Directions to  
those Judges in  
their Decrees.

Be it further Enacted by the Authority aforesaid, That at any time or times after the expiration of Six Months after the Passing of this Act, it shall and may be lawful to and for the said Samuel Sandys the elder, and his Trustees for him, Sir Richard Onslow, and others the Assignees and Trustees of Henry late Earl of Arundel and Surrey deceased, Arthur Earl of Anglesey, Thomas Lord Culpepper, Sir William Terringham, Robert Phillips, and Robert Scawen, their and every of their respective Heirs and Assigns, and to and for the Participants of the said Earl Francis, Parties to the said Indenture of Fourteen parts, their and every of their respective Heirs and assigns, whose Lands, Shares, Lots, parts and proportions of and in the said Ninety five thousand Acres were sold, or pretended to be sold, for non-payment of Taxes, by vertue of the said pretended Act of the Nine and twentieth day of May, in the year of our Lord, One thousand six hundred forty and nine, to bring their respective Action or Actions of Trespass, or Trespass and Ejectment in His Majesties Court of Kings Bench, or Court of Common-Pleas at Westminster, against any person or persons whatsoever, possessing, withholding, or occupying the same, although the said Governour, Bayliffs and Conserbatours, or so many and such of them as are thereunto authorized by this present Act, have not, or shall not execute Estates pursuant to this present Act, to such person or persons hereby enabled to bring such Action or Actions; and such person

Actions referred for certain  
Owners.

person



person or persons shall recover such Lands, Shares, Lots, Parts and Proportions of the said Ninety five thousand Acres, as they respectively shall make and derive title and claim unto, as Participants of the said Francis Earl of Bedford, parties to the said Indenture of Fourteen parts, or as the respective Heirs or Assigns of the said respective Participants, parties to the said Indenture of Fourteen parts, as if the said Governour, Bayliffs, and Conservatores had duly executed respective Estates of such respective Lands, Shares, lots, parts and proportions of the said Ninety five thousand Acres, according to the true intent and meaning of this Act: And such person or persons, his and their respective Heirs and Assigns shall have and hold the same Lands, Shares, lots, parts and proportions, as fully and effectually as if the said Governour, Bayliffs, and Conservatores had executed respective Estates thereof, subject nevertheless to such Decree as the said Judicature or Commissioners before nominated and appointed, shall make touching or concerning the Premises, and also subject to the payment of all Taxes, to be laid and imposed by vertue of this Act, and no other.

Those Actions  
subject to the  
Decree of the  
Judges of  
Westminster  
aforesaid.

Those Judges  
shall order out  
of what Lands  
the Arrears of  
Taxes shall be  
paid.

And whereas there are several sums of money, amounting to Four thousand pounds or thereabouts, in arrear for Taxes, laid and imposed since the Nine and twentieth day of September, in the year of our Lord One thousand six hundred fifty and eight, upon several parts of the said Ninety five thousand Acres, subjected by this Act to the Judicature aforesaid; and for Penalties incurred for non-payment of the same, by vertue or colour of some Act or Authority, or pretended Act or Authority; Be it therefore Enacted by the Authority aforesaid, That the said Commissioners or Judicature, or any two of them aforesaid, shall have Power and Authority, and are hereby required in such adjudication as they shall make, touching the Lands subjected to their Judicature as aforesaid, to Direct, Order and Decree, upon what Persons or Lands, the said Sums of Money so in Arrear for Taxes and Penalties as aforesaid shall be charged, and the said Taxes and Penalties shall be accordingly levyed upon such Persons or Lands, and in such manner, and by such ways and means as shall be Directed, Ordered and Decreed by the Judicature aforesaid, or any two of them; And as if such Direction, Order and Decree had been particularly hereby Enacted.

Grievance by  
drowning one  
place in drain-  
ing another,  
&c.

And wrong  
Allotments.

And whereas particular Persons and Parishes do conceive and alledge, That the Dreining of one place hath Drowned and made worse the Lands in other places; And whereas divers persons likewise do alledge and complain, That the said Ninety five thousand Acres in many places are not indifferently set out, or allotted, according to the Law made at Lyn, in the sixth year of the late King Charles; nor according to Agreement made with the Countrey; But in many places greater quantities have been taken from the Owners, Commoners, and Townships then ought to have been; And that some Lands have been taken, as belonging to one Parish and County, which in truth did belong to another. And in many places the allotments have been taken very inconvenient for the Townships, which ought not to have been by the said Agreement. And whereas the Dreining aforesaid, and future maintenance of the said Great Level ought to be without prejudice to Navigation: And because all Complaints which have been made, and all prejudices which have been or shall be done to particular Persons, Parishes and Places, cannot by this Act be sufficiently provided for and remedied;

Commissioners  
for several  
Counties.

Be it further Enacted by the Authority aforesaid, That Sir John Tracy Knight, Sir Charles Mordant, Sir Nicholas L' Strange, Baronets, Sir William Hovel Knight, Edward Pepis, Humphrey Beddingfield, Nicholas Stileman, Esquires; for the County of Norfolk,

Sir Nicholas Bacon, Knight of the Bath; Sir Lionel Tolimach Baronet, Sir John Duncombe Knight, Sir Edmond Pooley Knight, Sir George Reve Knight and Baronet, Sir George Weneve Knight, Thomas Waldegrave Esquires for the County of Suffolk,

Sir

Sir Dudley North, Sir Thomas Wendy, Knights of the Bath; Levinus Bennet Esquire; Robert King, John Pepis, Doctors of the Law, Thomas Crouch, Francis North, Esquires, for the County of Cambridge.

Sir Thomas Sclater Baronet, L' Strange Colthrop, John Millicent, Thomas Hall, John Sotheby, Esquires; John Bing Esquire, and William Wren Esq; for the Isle of Ely.

Sir Francis Compton Knight, Robert Appreece, Sutton Ashfield, Esquires; Anthony South Doctor of the Law, Robert Payne, Richard Nayler, Ferrers of Gedding, Esquires, for the County of Huntingdon.

Sir William Dudley, Knight and Baronet; Maurice Tresham, Francis Kirkham, Lewis Palmer, Christopher Thursby, Francis Lane, George Tresham, Esquires, for the County of Northampton.

Sir Charles Hussey, Sir John Newton, Baronets, Sir Thomas Meeres, Sir Anthony Irby, Knights, Sir Anthony Oldfield Baronet, Richard Brownlow, Daniel Rhodes, Esquires, for the County of Lincoln, shall be and are hereby made and constituted the present Commissioners, for the purpose here in mentioned.

And for the supplying the number of the Commissioners of the said respective Counties, in case of death or other avoidance, or incapacity: Be it also Enacted; That within Three moneths after such death, or notice of such avoidance or incapacity of the remaining Commissioners of each respective County, of which such Commissioners who died, or became incapable were, or the major part of them shall from time to time nominate and appoint by Deed under their Hands and Seals to be Entrolled in Chancery some other person or persons residing within the said County, of which the said Commissioners who died, or became incapable, were to be Commissioners in the place and stead of him or them so dying, or becoming incapable, which said Commissioners hereby constituted, or hereafter to be constituted in manner aforesaid, or any seven or more of them be, are, and shall be hereby Authorized and Impowered from time to time to hear and determine such Complaints, Controversies, Differences and Grievances as are in this Act expressed (relating to, or concerning, or occasioned by the Dreining and Maintaining the said Great Level) of any Parish or Township, or of any person or persons, as well within or without the said Level, in such manner as is herein after expressed: And that the said Commissioners hereby constituted, or hereafter to be constituted in manner aforesaid, or any seven or more of them, shall from time to time have power and authority, and are hereby required, at or before the Eight and twentieth day of September, which shall be in the year of our Lord One thousand six hundred sixty and six, to give or make satisfaction out of the said Ninety five thousand Acres to such Parish or Township, Person, or Persons, whose Lands or Interest therein, either within, or without the said Level, shall after the First day of May One thousand six hundred sixty and three be made worse in quality or condition by the aforesaid Dreining or Works, then they were before the Undertaking the Dreining of the said Level in the Sixth year of the Reign of our late King Charles of blessed memory, and proportionable to the Losses the owners of, or persons interested in such Lands shall hereafter receive by reason of their Lands being made worse in quality or Condition by any such Works and Dreining as aforesaid, and shall also have power at any time within Four years, from the four and twentieth day of June in the year of our Lord One thousand six hundred sixty and three, to alter, change, and restore such parts and parcels of the said Ninety five thousand Acres, as shall upon Complaint be found and adjudged by the said Commissioners, or any seven or more of them, to be unequally, unduely or inconveniently set forth, by reason of any allotting, either of greater quantities, or as belonging to other Counties, Parishes, or Mannors, or in more inconvenient places than they were formerly allotted and set out by a Law of Sewers made at St. Ives the Twelfth day of October, in the Thirteenth year of King

New Commissioners upon death and avoidance.

Commissioners enabled to satisfy parties damaged by dreining.

And to alter and restore tortious lots.



King Charles the first, notwithstanding any besting of the said Ninety five thousand Acres or any part thereof in the Kings Majesty, or in the said Governour, Bailiffs and Commonalty, or in any other persons before mentioned, or any Estates executed by them, or any of them.

Lands in  
Ravelly, Up-  
wood, Sothery,  
Wicken, Cow-  
fenn, Beezling,  
and Upwell.

Provided, and be it Enacted, That Ninety three Acres in Ravelly and Upwood, Seventy six Acres in Sothery, Forty four Acres and one Rod in VVicken, Eighty eight Acres in Cowfenn, Two hundred eighty two Acres in Beezling, and Thirty seven Acres in Upwell, set out to be enjoyed as part of the said Ninety five thousand Acres since the making the said Law of St. Ives, in lieu of like Proportions altered and restored to the Countrey, shall be held and enjoyed by the said Corporation, subject nevertheless to the trust in and by this Act declared, as to the said Eighty three thousand Acres, residue of the said Ninety five thousand Acres; and shall be set forth to the said Corporation in trust for the Participants or Adventurers, whose proportion shall be so altered or exchanged, in lieu of such part as shall be so altered, exchanged or restored, such other proportions in such other places within the said Lebel, as to the said Commissioners, or any seven or more of them, that any of the proportions of the said Ninety five thousand Acres heretofore set forth to Francis Earl of Bedford, his then Participants and Assigns, do fall short in the quantity of Acres, for which the same were set forth and allotted, according to the said Laws of Lynne and St. Ives, the said Commissioners, or any seven or more of them, shall within the said term of Four years aforesaid, appoint the same to be supplied and made up, out of the grounds where the same was so allotted to be set forth, to make up the said proportion of Ninety five thousand Acres. And in case the said Earl of Bedford and his Participants, or the said Corporation, shall through or by reason of their undertaking or Dyepping aforesaid, in the sixth year of his late Majesties Reign of ever blessed Memory, have done, or hereafter shall do any Act or Acts to the prejudice of Navigation, and whereby Navigation in the said Rivers of Owse and Grant, and all other Rivers, now navigable, passing through the said Lebel, and the River of Westwater, being a branch of the River of Owse, if it be consistent with the Dyepping, or in any of them, or such Drobe ways or Bridges within and without the said Lebel, as have been made or caused to be made by the Adventurers, and have been by them maintained, unless there be some agreement to the contrary, be or hereafter shall be interrupted, obstructed, and made worse, that then the said Commissioners, or any seven or more of them, whereof the Vice-Chancellor for the University of Cambridge, the Mayor of the Town of Cambridge, and the Mayor of the Town of Kings-Lynne, for the time being, to be three; if they upon notice left at their respective Habitations, shall think fit to be present, from time to time, shall and may decree the same to be made good and amended, at the proper Costs and Charges of the said Corporation, within a convenient time, as to their Judgements shall seem meet: And in case it shall happen and so fall out, that the said Corporation shall neglect or refuse to repair and make good the same, according to the Order and Decree of the said Commissioners, and within the time limited by them, that then it shall and may be lawfull to and for the said Commissioners or any seven or more of them, by Warrant under their Hands and Seals attested, to tax the said Ninety five thousand Acres in such Sum and Sums of money as in their Judgements shall seem meet, for the making, preserving and keeping the Navigation in any of the aforesaid Rivers, as the same was in the said Sixth year of the said King Charles the First; which said Sum or Sums of money so to be Assessed or Taxed by the Commissioners aforesaid, shall within Twenty days next after notice thereof given to the Governour or Treasurer of the said Corporation, be paid unto such person or persons as the said Commissioners shall nominate and appoint to receive the same. And in case the said Governour or Treasurer of the said Corporation, after notice so given as aforesaid, shall refuse or neglect to pay the said Sum or Sums as aforesaid.

Provision for  
amending some  
Navigable Ri-  
vers and Wayes  
impaired by  
dyepping.

If the Corpora-  
tion neglect,  
the Commissio-  
ners are to or-  
der payment.

asforesaid, That then the said Commissioners, or any Seven or more of them, shall have full power and authority to impower the said person or persons to levy the said Sum or sums of Money by Distress or Distresses to be taken upon the said Ninety five thousand Acres, or any party thereof, and to make Sale of the said Distress or Distresses so taken, and sell the same, and render the overplus unto the said Governour or Treasurer, deducting the reasonable Charges for their labor and pains therein: All which said Sum or sums of Money so to be taxed and levied by the Authority asforesaid, shall be expended and laid out in preserving and keeping the said Navigation as asforesaid, and maintaining the same according to the true intent and meaning of this Statute, and not otherwise. And the said Commissioners, or any Seven or more of them, are also hereby Impowred and Authorized within the space of four years, from the four and twentieth day of June, in the year of our Lord, One thousand six hundred sixty and three, to ascertain and divide the Precincts and Boundaries of such parts of the said respective Counties, Lordships, Mannors, and Parishes within the said Lebel, as have been by and since the undertaking, defaced, and made obscure, or by some other means remain uncertain and hard to be found out, and shall set down such Bounds and Divisions in Writing, by such Marks, Boundaries, and Descriptions as to them shall seem meet, and shall certifye the same under their Hands and Seals in the High Court of Chancery; according to which Division of the said Commissioners, or any Seven or more of them, the extent of the said respective Counties, Lordships, Mannors, and Parishes, in such places so bounded and divided, shall for ever after the said Certificate, be deemed to be, and none other: And in case the quantity of Eight thousand Acres lying together, or near together, or any greater quantity of Ground lying together, or near together, within the said Lebel, shall become drowned, and so continue for the space of Twelve moneths together, That then it shall be lawful for the said Commissioners for the time being, or any Seven or more of them, from time to time, and at all times, to Assess Taxes or Sums of Money upon the said Ninety five thousand Acres, for the raising Money for Dreining the same, again in such proportion, as they, or any Seven or more of them shall think fit, together with a Penalty for not paying the said Taxes, the said Penalty not exceeding a third part of such Tax.

Commissioners to ascertain the Bounds of Parishes, whose Bounds are defaced.

Provision for the future Dreining of 95000 Acres by a Tax.

And for default of Payment of the said Taxes or Sums of Money and Penalties, Be it Enacted, That the Lot and Share of such Participant or Adventurer of and within the said Ninety five thousand Acres, as shall be in arrear for the said Tax, Sum of Money, or Penalty, and unpaid by space of Two Moneths next after the day appointed for Payment by the said Commissioners, or any Seven or more of them, or so much thereof as they shall think fit, shall be Sequestred by the said Commissioners, or any Seven or more of them, for or towards the Payment of such Tax, Sum of Money, or Penalty so in arrear, restoring the overplus of the Money for which such Lot or Share, or any part thereof shall be Sequestred, if any be: Which Sequestration shall be made in writing under the Hands and Seals of the said Commissioners for the time being, or any Seven or more of them.

Remedy for that Tax.

Provided always, and be it Enacted by the Authority asforesaid, That in case the said Governour, Bailiffs, and Corporation constituted by this Act, shall neglect or refuse to pay such Tax or Taxes and Penalties, Sum or sums of Money as shall from time to time hereafter be taxed and imposed by the said Commissioners before named, or to be named by virtue of this Act, or any Seven or more of them, pursuant to the Powers given them by this Act: whereupon the Goods and Chattels of any person or persons, his or their Tenant or Tenants, of, and in the said Ninety five thousand Acres, or any part thereof, shall be distrained or sold, or his or their Lands sequestred for the payment thereof,

Further Remedy for it.



thereof, or that such person or persons, his or their Tenant or Tenants, shall thereupon pay the said Tax and Taxes, and Penalties so assessed and imposed as aforesaid, That then the said Governour, Bailiffs, and Corporation, immediately from and after notice to him or them given thereof, shall Assess and Tax the whole Ninety five thousand Acres for the satisfaction and payment of the Tax, Taxes, and Penalties, Sum and sums of Money, and all damages that such person or persons, his or their Tenant or Tenants hath or have paid, born or sustained as aforesaid.

Further Remedy.

And be it further Enacted by the Authority aforesaid, That if the said Governour, Bailiffs, and Corporation, shall not within Six Moneths next, after demand made by such person or persons, his and their Heirs, Executors, and Administrators, whole own, or Tenant or Tenants Goods and Chattels shall be distrained or sold, or Lands sequestred as aforesaid, pay and satisfie unto him or them such Sum and sums of Money, and damages, as he or they, or his and their respective Tenant or Tenants have respectively paid, born, and sustained, That then, and from thenceforth such person and persons, his and their Heirs and Assigns, shall and may bring his and their Action or Actions of Debt in any of the Kings Majesties Courts at Westminster, against the said Governour, Bailiffs, and Corporation, for the recovery thereof, and by vertue of this Act shall recover the same, and be allowed costs of Suit expended therein.

Commissioners impowred to examine Witnesses.

And be it further Enacted by the Authority aforesaid, That the Commissioners so constituted, or to be hereafter constituted as aforesaid, or any Seven or more of them, for the better execution of the Powers hereby given, shall and may inform themselves by examining Witnesses upon Oath, which hereby they or any Seven or more of them shall have power to administer due execution of all, every, or any the Powers or Authorities hereby given them, and for the doing Justice therein accordingly.

Commissioners Oath.

Provided always, That the said Commissioners, and every of them, before he or they take upon him or them, the execution of any the Powers or Authorities hereby given them, other then the administering the Oath following to one another, which they shall have Authority by this present Act to administer to one another, shall take the Oath following (viz.)

**I** A. B. shall and will without favor or affection, hatred or malice, truly and impartially, according to the best of my skill and knowledge, execute and perform all and every the Powers and Authorities established by this Act of Parliament.

Which Oath any one of the said Commissioners are hereby authorized to administer.

The Commissioners Decree final.

And be it further Enacted by the Authority aforesaid, That all Judgments, Orders, Decrees, Determinations, Alterations, Changes, Restorations, and other Acts done by the said Commissioners hereby constituted, or hereafter to be constituted as aforesaid, or of any Seven or more of them respectively, pursuant to the Powers and Authorities by this Act given, shall be final; And that the first time and place of their meeting shall be at or before the Two and twentieth day of September, in the year of our Lord One thousand six hundred sixty and three, at Ely.

The places for the Commissioners meetings.

And that afterwards the usual places where the said Commissioners shall sit to hear, order, and determine the matters to them referred by this Act, shall from the Nine and twentieth of September, to the Six and twentieth day of March in every year, be at the Town of Huntington; and from the five and twentieth day of March, till the Thirtieth day of September in every year be at Ely, unless the said Commissioners hereby constituted, or hereafter to be constituted as aforesaid, or any Seven or more of them shall appoint some other place or places, being a Market Town, or Towns; And the said Commissioners, or any Seven or more of them shall by Warrant under their Hands and Seals, Declare the places and times of their

their after-meeting, which Warrant shall be published in the open Market of such respective places where they last sate, betwixen the hours of Twelve and Two upon some Market-day, one Soneth at the least before the said time or times of meeting, To the end all persons concerned may have sufficient time and notice, to make their appearance before them upon any cause of Complaint, or other occasion; and shall have power and authority by Warrant under the Hands and Seals of any Seven or more of them, to Summon Parties and Witnesses to appear before them.

Provided, That none of the said Commissioners hereby constituted, or hereafter to be constituted as aforesaid, shall Give or give his Judgment or Determination in any matter or thing which concerns the Division and Bounds of the County, of, or for which he is appointed Commissioner.

Provided also, That no person who hath any part, share, or interest in Possession or Reversion of, or in any Mannors or Lands within the said Level, shall be a Commissioner. And in case of Descent, Gift, Devise, or Purchase of any such part, share, or interest to, or by any of the said Commissioners, it is hereby Declared and Enacted, That immediately after such Descent, Gift, Devise, or Purchase, to or by any such Commissioner, The said Descent, Gift, Devise, or Purchase, shall be an Abordance of his being a Commissioner; and shall make him be incapable of being again nominated or appointed a Commissioner whilst his Interest doth remain.

Provided also, and the said Commissioners for the time being, or any Seven or more of them, shall from time to time, and at all times have power and authority to give and make satisfaction out of the Ninety five thousand Acres, to such person or persons, whose Lands or Interest therein (by any New-works, hereafter to be made by the said Corporation without the said Level for conveying of the Waters of the said Level by convenient Outfalls to the Sea) shall be made worse in quality, condition, or value, then they were before the said undertaking in the said Sixth year of the said late King Charles, proportionable to the loss and damage the parties shall receive thereby.

And to the end, that the Owners of the Commons and Wastes in the said Level, and other Towns, Parishes, and places, unto which the Works aforesaid, or any of them do extend, may improve the same by making Divisions and Inclosures, Be it Provided and Enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Body Politick or Corporate whatsoever, their Heirs and Successors, that are or shall be Lords of Mannors, or have or shall have Right of Common in the said Wastes, to Improve, Set out, Inclose, Divide and Sever such Proportion or Proportions, as to them shall or may severally or respectively belong or appertain, or be adjudged and allotted out of the said Commons and Wastes within the said Level, or within any Town, Parish or place into which the Works aforesaid, or any of them do extend. And to hold such Proportion in Severalty at all times of the year; and all Differences that shall arise concerning the Boundaries of the Wastes, Rights of Common, Approbements, Allotments, Divisions, and Inclosures, shall from time to time, and at all times be Determined, Adjudged, and finally ended by the said Commissioners for the time being, or any Seven or more of them upon their View or Examination of Witnesses upon Oath, which they are hereby Authorized to Administer, or upon both, and hearing of the Parties concerned by their Adjudication under their Hands and Seals in Writing, which Determination and Judgment being certified into the Petty-Bag, there to be filed and kept on Record, shall be Final and Conclusive unto all Parties: And the Allotments, Divisions, and Proportions so Adjudged or Decreed to be held by the said respective Persons, to whom they are so Set out, shall be held by him or them, and

Decree of  
Boundaries of  
Counties.

No Proprietor  
of Lands to be  
Commissioners.

Recompence for  
Lands impaired  
by new Works  
out of the Fens.

Power to inclose  
or improve  
Wastes and  
Commons.

The Commis-  
sioners to end  
Differences in  
such Inclosures,  
&c. and to De-  
crees &c.

Such Decrees  
Recorded in the  
Petty-Bag.



his and their Heirs, Executors, and Assigns respectively, according to his or their Tenure or Tenures, Estate, Title or Interest they had in the Mannors, Tenements, and Lands, for which they claimed the said Proportions of Common as aforesaid; paying such Fines and Rents, and doing such Services in Proportion for the same, as by Custom or otherways they are to pay or do, and do for the Mannors, Tenements, and Lands, for which they claim the same Proportion, having such respect to the yearly values of the one, and the other, as shall (if need so require) be limited by seven or more of the Commissioners.

Remedy, for  
Dreiners of  
Lands in Sut-  
ton.

Provided also, and be it Enacted, That it shall and may be lawful to and for such person and persons as were heretofore Owners of the One hundred seventy five Acres in Sutton, North and South Meadland in the said Isle of Ely, set out by the said Law of St. Ives, as a recompence for Dreyning the whole North and South Meadlands, containing about One thousand Acres, their Heirs or Assigns, to sue and implead before the said Commissioners, or any Seven or more of them, the Owners and Occupiers of the said North and South Meadlands, or elsewhere within the said Great Level, to draw them into Contribution for their several and respective Proportions of the said North and South Meadlands, towards the said One hundred seventy five Acres. And the said Commissioners, or any Seven or more of them, shall thereupon Adjudge and Decree unto the said Owners of the said One hundred seventy five Acres, or such of them as they shall think fit, and to their Heirs and Assigns, such recompence and satisfaction, either in ready Money, Yearly Rent, or Land, out of the residue of the said North and South Meadlands, as to the said Commissioners, or any Seven or more of them shall seem meet, to be held and enjoyed by the said Owners of the said One hundred seventy five Acres, their Heirs and Assigns.

Sir John Wats  
his Remedy.

Provided always, and be it Enacted, that it shall and may be lawful to and for Sir John Wats Knight, and others, who derive any interest under the Dreiners of that Fenn called Londoners Fenn, his and their Heirs and Assigns, to sue and implead all and every person or persons, their Executors and Administrators, that have taken and received the Rents and Profits of his or their share and proportion of Londoners Fenn, remaining from the Ware and proportion allotted and set out by the said Law of St. Ives, since the said Level was adjudged Dreined, and to sue for and recover the same in any of his Majesties Courts at Westminster: And also that it shall and may be lawful to and for the said Sir John Wats and the Participants aforesaid, his and their Heirs and Assigns, heretofore Owners of the several proportions in Londoners Fenn, set out by St. Ives Law for the Adventurers recompence for Dreyning the low Grounds in Upwel, Outwel, and Welney, to pursue and prosecute before the said Commissioners, or any Seven or more of them, their Claim, and sue for relief against the Owners or Occupiers of the Fenny and low surrounded Grounds lying in Upwel, Outwel, and Welney aforesaid, whose Grounds did not all contribute, or not in equal proportion to the said Ninety five thousand Acres, to draw them into Contribution, in case of the said Sir John Wats, and the Participants aforesaid, and thereupon the said Commissioners, or any Seven or more of them, are hereby impowred to adjudge and decree unto the said Sir John Wats, and the Participants aforesaid, his and their Heirs and Assigns, such proportion out of the said Grounds, which have not equally contributed as aforesaid, as to the said Commissioners, or any Seven or more shall seem meet.

Londoners  
Fenn.

Upwel, Outwel,  
and Welney.

Commissioners  
impowred to  
Decree on the  
behalf of Sir  
John Wats.

Saving of the  
King His Wa-  
ter-courses of  
Crowland.

Provided always, and be it Enacted, That it shall and may be lawful for the Kings Majesty, and the Queens Majesty, their Heirs, Successors and Assigns, to continue in the possession, usage, and disposal of the Bank, called Doufedale Bank, being on the South side of his Majesties Demean Lands, called Portland, belonging to their Mannor of Crowland, being part thereof,

thereof, and to have such ancient Passages and Currents as of right have been used and accustomed, for the abodance of water throught the same into the River South Eae, as if this Act had never been made.

Provided always, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, Dean, and Chapter, and all Colledges and Halls in either Universtie, and all Bodies Politick and Corporate, who are or shall be Lords of Mannors, or have, or shall have right of Soil or Common in the Wastes within this said Lebel, or within such other Towns, Parishes, and Places into which the Works of the Dreyning aforesaid do or shall extend, and who are by this Act impowered to improve, let out, inclose, divide and sever such proportion or proportions as to them shall or may respectibely belong or appertain out of the said Commons and Wastes within the said Lebel, to demise by Indenture all and every the said such proportion or proportions as to them shall or may respectibely belong or appertain, out of the said Commons or Wastes within the said Lebel, which have not by exprels words and under any particular Rent been at any time formerly demised for any Term or Number of Years, not exceeding One and twenty Years, so as upon every such Demise or Lease be reserved the fourth part of the true yearly value to be ascertained by the Commissioners aforesaid, or any seven of them, due and payable yearly during the said Term to him or them, and his and their Successors.

Power to Corporations, Bishops, &c. to make Leases of lands.

Provided always, and be it Declared by and with the consent of all Parties concerned, That neither this Act nor any thing therein contained, shall extend or be construed to extend to alter the possession of Thomas Chicheley, Esquire, of or from Six hundred seventy one Acres, parcel of the Lot now claimed to belong to the said Trustees of Henry late Earl of Arundel and Surrey, and Two hundred thirty one Acres, parcel of the Lot now claimed to belong to the said Sir William Terringham, or from any part thereof, by him the said Thomas Chicheley, now enjoyed under Purchasers by Sales for non-payment of Taxes upon the dispute between the old and new Adventurers; But that the said Corporation shall execute Conveyances of the said respective proportion unto the said Thomas Chicheley, his Heirs and Assigns, Any thing herein contained to the contrary thereof in any wise notwithstanding.

Thomas Chicheley Esquire, relieved by general consent.

Sir William Terringham.

Provided always, and be it Enacted, That all such Right or Rights as any Lord or Lords of any Mannor or Mannors, Liberties, Hundred or half hundred, have heretofore had within their respective Mannor or Mannors, Liberties, Hundred, or half Hundred within or without the said Lebel, to Waifes, Strays, felons Goods, Priviledges of Arrests, Elcheats, and all other Royalties not prejudicial to the Dreyning, be hereby saved to them, their Heirs, Successors, and Assigns severally and respectibely; Any thing in this Act to the contrary thereof notwithstanding.

The Royalties of Lords of Mannors saved.

Provided always, That this Act, or any thing therein contained, shall not be interpreted to infringe, or any way to weaken an Act made the fourth year of the Reign of King James, Entituled, An Act for the Dreyning of certain Fens and Low-Grounds within the Isle of Ely, subject to hurt by Surrounding, containing about Six thousand Acres, compassed about with certain Banks, commonly called and named, The Ring of Waltersea and Coldham; but the said Act shall stand in full force and vertue; any thing in this present Act to the contrary notwithstanding.

The Stat. of 4 Jac. confirmed.

Provided also, That whereas divers Lands in and near adjoyning unto the said Great Lebel, have been cut through for the better conveying of the Waters from the same, and for upholding or repairing the Banks and Works there, without making satisfaction to the respective Owners of the said Lands, for the damage they have sustained by such cutting; Be it further Enacted, That the said Commissioners for the time being, or any seven or more of them, upon complaint to them made of such damage sustained as aforesaid, without recompence for the same, shall be and are hereby im-

Satisfaction for lands digged for Channels, &c.



powered to Award and Decree such recompence and satisfaction to the party and parties grieved, according to their respective damages sustained by such cutting, as to the said Commissioners for the time being, or any seven or more of them shall be adjudged reasonable, the said recompence and satisfaction to be made and given by the said Corporation, within six Moneths next after such Award or Decree made; and in default thereof, the said Commissioners, or any seven or more of them, shall and may, and are hereby impowered to Rate and Tax the said Ninety and five thousand Acres, and to Distrain thereupon for the payment of such Rate or Tax, and the Distress taken thereupon to sell or dispose as they shall think fit, (reducing the Overplus (if any be) to the Owner) for the payment and satisfaction of such Monies and damages as shall be so Awarded: Any thing in this Act to the contrary thereof notwithstanding.

The Commissioners power limited to a time.

Causes left undetermined by the Commissioners shall be heard in the Exchequer.

The King his Lessees of 10000 Acres may be Officers, &c.

Provided nevertheless, That in case the Judicature hereby established, shall not within Twelve moneths from the first day of August next, hear and determine all the matters by this Act to them referred, concerning the said Ninety five thousand Acres, all and every such person and persons whose Complaints shall be then undetermined, may make their applications to the Barons of His Majesty's Court of Exchequer, who are hereby established a Court of Judicature, and sufficiently Authorized to hear and determine all such Controversies and Differences between the said parties, in as large and ample manner, to all intents and purposes, as the Judicature hereby established might have done, and such Judgment, Order or Decree of the said Court of Exchequer, shall be in all things observed, and be effectual, as if the said Barons had been made the only Judicature by this Act.

Provided always, and be it Enacted by the Authority aforesaid, That the Lessees of the Kings Majesty, his Heirs and Successors, of the said Ten thousand Acres, or of any part thereof, and the Assigns of such Lessees, and every or any of them, shall be capable to be elected and chosen into the Office or Place, Offices or places of Governour, Bayliffs, and Conservators aforesaid, and to vote in such elections and choice, and in all other matters, as fully to all intents and purposes, as any other Members of the Corporation, Owners of any part of the said Ninety five thousand Acres, may be elected and chosen, vote in such Election and Choice, or in any other matter, so as such Lessees and their Assignees respectively have and be Lessees or Owners of double the quantity or number of Acres, parcel of the said Ten thousand Acres, as by virtue of this Act is required, to qualify any person to be elected and chosen into the Office or Place of Governour, Bayliff, or Conservator respectively, and to vote in such Elections and Choice, or in any other matter touching the said Lebel, and so as such Lessees or Assignments they claim by, be entered with the Register: Any thing before in this Act to the contrary notwithstanding.

David Offley.

Provided always, and be it Enacted by the Authority aforesaid, That this Act shall not extend to Impeach or make void any Obligation given to David Offley Gentleman, conditioned for his quiet enjoyment of a certain parcel of Land purchased by him in the said Lebel, but that the said David Offley may Sue and prosecute his several Action or Actions upon the said Obligation, as if he had been evicted or removed from his Estate therein by due course of Law.

Inevitable and extraordinary overflow of water how amended.

And be it further Enacted by the Authority aforesaid, That if any Breaches happen in any of the Banks, Saffles, Sluces, Tunnels, or other Works within the said Great Lebel, or in any the Works made without the said Great Lebel, for carrying the Waters of the said Great Lebel to their Out-fall at Sea, by reason of some inevitable accidents, the same shall be repaired and made good in convenient time, by and at the Charges of the said Corporation, and their Successors; but no other Charge shall be

be laid upon the said Corporation or their Successors, for or in respect of such Breaches, nor for or in respect of any Breaches that have happened heretofore in any of the said Banks, Saffes, Sluces or other works; nor shall the said Corporation be enforced to give to any other person any recompence for any losse or damage which hath or shall happen, by reason of their making necessary and sufficient Banks for the defending of the said Level from being overflowed, and for the leading of the Waters of the said Level in their Channels as now they run, unto their Out-fall at Sea.

Provided nevertheless, and be it Enacted, That where any Participant under Francis Earl of Bedford, or the Heirs or Assigns of any such Participant, hath exchanged his or their Share or Lot of the said Ninety five thousand Acres, or any part thereof, for any other Lands, parcel of the said Ninety five thousand Acres, which were claimed and held under such pretended Sales, for non-payment of Taxes, since One thousand six hundred forty and nine, It shall and may be lawful to and for such Participant and Participants, and his and their Heirs and Assigns, to enter again upon the same Lands so given in exchange, and to have and retain the same in his and their possession, Any thing in this Act to the contrary notwithstanding: Subject nevertheless in all things to such Judgment and Determination, as the Judicature hereby construed shall make concerning the same.

Exchanges of Lands by the Partakers with the Earl of Bedford, made void.

Provided always, That no ascertaining or dividing of the said Dreynd or new improbed Lands by the said Commissioners as aforesaid, shall conclude the Kings Majesty, his Heirs, Successors, or Assigns, or any other person or persons, as to the bounds of Parishes, to any other intent or purpose, then subjecting the same to Taxes and Contributions, and Episcopal Jurisdictions, and not as to the Right of Tythes, or any other purpose whatsoever, nor shall be, or be used in evidence concerning the same.

Bounds of Parishes to what intents confirmed.

Provided also, and be it further Enacted by the Authority aforesaid, That if any person or persons having right of Common in any of the Mannors, Wastes, Commons, or Lands within the said Great Level of the Fens, called Bedford Level, or any other person or persons whatsoever, at any time after such Division or Inclosure made or let out as aforesaid, shall break, throw down, disturb, obstruct, or by any means hinder, or lay open the said Improvements and Inclosures, at, in, or after the making thereof, or the Hedges, Ditches, or Fences of the same, or any part thereof, shall destroy, and shall be thereof convicted by two credible Witnesses upon Oath before two Justices of the Peace of the County where such Disturbance or Destruction shall be made; Every such person or persons so convicted as aforesaid, shall forfeit for every such Offence the sum of Twenty pounds, to be levied by Distresse upon the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of the said Justices of the Peace, before whom such Conviction shall be made, the one moiety to the Informer, and the other moiety to such person or persons against whom the said Offence is or shall be committed, or for want of such sufficient Distresse, the Offender shall be committed to the House of Correction, or Common Goal, for three Moneths without Bail or Mainprize, at the said Justices Discretion.

Punishment of Breakers down Fences, Banks, &c.

Provided always, and it is hereby Enacted and Declared by the Authority aforesaid, That from and after the first day of August, which shall be in the year of our Lord One thousand six hundred sixty and eight, no Tax or Taxes exceeding Two shillings the Acre in any one year shall be assessed, laid, or levied upon the said Ten thousand Acres by this Act vested in the Kings Majesty, his Heirs, Successors, and Assigns, or upon any part thereof, or upon the Two thousand Acres hereby vested in the Assigns of the said Earl of Portland; but in case the Taxes to be assessed upon the said Eighty three thousand Acres hereby vested in the said Corporation, shall not

Taxes out of the King and Earl of Portland's Lands ascertained.



not amount unto so much in proportion as Two shillings an Acre, according to the proportion for each Acre; Then a proportionable abatement shall be made out of the said Two shillings per Acre, which shall be charged yearly by an equal Rate upon every Acre of the said Ten thousand Acres; And the said two thousand Acres according to the Rate imposed upon every Acre of the said Eighty three thousand Acres, whether the same shall be Assessed by an Acre-Tax, or a Pound-rate, or by any other way; Any thing herein contained to the contrary notwithstanding.

The 83000  
Acres of the  
Corporations  
freed from the  
Acre-Tax.

And it is further Declared, That the Assessing, Laying, and Levying of Taxes upon the said Ten thousand Acres, or upon the said Two thousand Acres, or any part thereof, after the said First day of August, which shall be in the said year of our Lord, One thousand six hundred sixty and eight, by the way of an Acre-Tax, shall not extend nor be interpreted or construed to extend to compel or conclude the said Corporation, to Assess, Lay, or Levell any Tax or Taxes upon the said Eighty three thousand Acres, hereby vested in the said Corporation, or upon any part thereof, by the way of an Acre-Tax.

ANNO

ANNO XVI.  
**Caroli II. Regis.**

At the Session of the same PARLIAMENT held at *Westminster*, by Prorogation the Sixteenth day of *March*, in the Sixteenth Year of the Reign of our Sovereign Lord King *Charles* the Second, &c. It was Enacted as followeth,

CAP. I.

An Act for the Assembling and Holding of Parliaments once in Three years at the least; And for the Repeal of an Act, Entituled, An Act for the preventing of Inconveniences hapning by the long Intermission of Parliaments.



Whereas the Act made in the Parliament, begun at Westminster the Third day of November, in the Sixteenth Year of the Reign of our late Sovereign Lord King Charles of Blessed memory, Entituled, An Act for the preventing of Inconveniences hapning by the long Intermission of Parliaments, is in Derogation of His Majesties just Rights and Prerogative inherent to the Imperial Crown of this Realm, for the Calling and Assembling of Parliaments; And may be an occasion of manifold mischiefs and inconveniences, and much endanger the Peace and Safety of His Majesty, and all His Leige People of this Realm.

<sup>16 Car. 1. cap. 1.</sup>

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That the said Act, Entituled, An Act for the preventing of Inconveniences hapning by the long Intermission of Parliaments, And all and every the Articles, Clauses, and Things therein contained, is, shall be, and are hereby wholly Repealed, Annulled, and utterly made Void, And are hereby declared to be Null and Void to all intents and purposes whatsoever, as if the said Act had never been had or made; Any thing in the said Act contained to the contrary in any wise notwithstanding.

The former Act made void.

And because by the Ancient Laws and Statutes of this Realm, made in the Reign of King Edward the Third, Parliaments are to be held very often, Your Majesties humble and loyal Subjects the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, most humbly do beseech Your most Excellent Majesty, That it may be Declared and Enacted, And be it Declared and Enacted by the Authority aforesaid, That hereafter the sitting and holding of Parliaments shall not be intermitted or discontinued above three years at the most; but that within three years from and after the determination of this present Parliament, and so from time to time within three years after the determination of any other Parliament or Parliaments, or if there be occasion, more often, Your Majesty, Your Heirs and Successors do issue out Your Writs for calling, assembling and holding of another Parliament, to the end there may be a frequent Calling, Assembling, and Holding of Parliaments once in Three years at the least.

No longer Intermission of Parliaments then Three years.



## CAP. II.

An Act for preventing of Abatements of Writs of Error upon Judgments in the Exchequer.

Preamble.  
Cap. i.

Grievance.

The Non Vener  
of certain per-  
sons shall not  
abate Writs of  
Error.

Lord Chancel-  
lor and Trea-  
surer, both to be  
present.

**V**hereas by a Statute made in the One and thirtieth year of the Reign of the late Queen Elizabeth, It is Enacted, That the not coming of the Lord Chancellor, and Lord Treasurer, or either of them, at the day of Adjournment, in any Suit of Error depending, by vertue of the Statute of the One and thirtieth year of the Reign of King Edward the Third, therein mentioned, concerning Error made in the Exchequer, shall not be any Discontinuance of any such Writ of Error: But if both the Chief Justices of either Bench, or any one of the said great Officers, the Lord Chancellor, or Lord Treasurer shall come to the Exchequer-Chamber, and there be present at the day of Adjournment in such Suit of Error, It shall be no Discontinuance, but the Suit shall proceed in Law to all intents and purposes, as if both the Lord Chancellor and Lord Treasurer had comen, and been present at the day and place of Adjournment. Which Statute doth not provide a Remedy, in case the said Lord Chancellor and Lord Treasurer, or either of them shall not be present at the days and times of the Returns of such Writs of Error, although it be within the same mischeif, Justice being delayed; And the parties in such Cases being put to begin new Suits, to their great Charges and Prejudice, by reason of the absence and not coming of the said great Officers;

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in Parliament assembled, and by Authority of the same, That the not coming of the Lord Chancellor and Lord Treasurer, or either of them, at the day of Return of any Writ of Error, to be sued forth by vertue of the said Statute made in the said One and thirtieth year of the Reign of the said King Edward the Third, shall not cause any Abatement or Discontinuance of any such Writ of Error. But if both the Chief Justices of either Bench, or either of them, or any one of the said great Officers, the Lord Chancellor or Lord Treasurer, shall come to the Exchequer-Chamber, and there be present at the day of Return of any such Writ of Error, it shall be no Abatement or Discontinuance; But the Suit shall proceed in Law to all intents and purposes, as if both the Lord Chancellor and Lord Treasurer had comen, and been present at the day and place of Return of such Writ.

Provided always, That no Judgment shall be given in any such Suit or Writ of Error, unless both the Lord Chancellor and the Lord Treasurer shall be present thereat.

## CAP. III.

An Act for Collecting the Duty arising by Hearth-money, by Officers to be appointed by His Majesty.

14 Car. 2. cap.  
10.

**V**hereas by an Act made in the Parliament begun at Westminster, the Eighth day of May, in the Thirtieth year of His Majesties Reign that now is, Entituled, An Act for Establishing an Additional Revenue upon His Majesty, His Heirs, and Successors, for the better support of His and their Crown and Dignity: And by another Act made in the Second Session of the said Parliament, in the First year of the Reign of His said Majesty, Entituled, An Additional Act for the better Ordering and Collecting the Revenue arising by Hearth-money, It was Enacted and Ordained, That from and after the five and twentieth day of March, in the year of our Lord One thousand six hundred sixty and two, every Dwelling, and other House and Edifice, and all Lodgings in Inns of Court, Inns of Chancery, Colledges, and other Societies that are, or hereafter shall be erected within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, (other then such as are there-  
in

in excepted) shall be, and are charged with the Annual Payment to the Kings Majesty, his Heirs and Successors, for every Fire-Hearth and Stove within every such House, Edifice, Chambers and Lodgings, the sum of Two shillings by the year, to be paid yearly at the Feasts of Saint Michael the Arch-Angel, and of the Annunciation of the Blessed Virgin Mary, by even and equal portions; an exact and just Account of the numbers of all which Fire-Hearts and Stoves is thereby Enacted to be taken and returned into his Majesties Court of Exchequer; And the Moneys and Revenues due and payable for the same, to be Collected, Levied and paid to his Majesty, by such persons and Officers, in manner and form, as by the said Act is prescribed.

Nevertheless, by reason of some defects in the said Act, and great negligence of the said Officers and other persons, in not returning the exact numbers of the said Fire-Hearts and Stoves, and not duly collecting, levying and paying into his Majesties Exchequer, the full Revenue due for the numbers returned at the times appointed, and by sundry fraudulent practices to elude the said Act, the said Revenue is much diminished, and not duly answered.

For Remedy thereof, and for the better ascertaining and collecting the said Revenue for the future, Be it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That it shall and may be lawful to and for the Kings Majesty, his Heirs and Successors, from, and after the Four and twentieth day of June, One thousand six hundred sixty four, from time to time, by, and with the Advice of the Lord High Treasurer, Chancellor, Under-Treasurer, and Barons of the Court of Exchequer for the time being, or any three of them, whereof the Lord High Treasurer or Chancellor of the Exchequer to be one, to constitute and appoint such person or persons as his Majesty, his Heirs and Successors shall think meet, to be the Officer or Officers for the receiving and collecting, and answering the duty arising by the said Fire-Hearts and Stoves, by virtue of the said several Acts, and for viewing and numbering of the several Chimney-Hearts and Stoves mentioned in the said Acts; and for the inspecting and examining the several Rolls, Certificates, and Returns thereof made, and to be made from time to time into his Majesties Court of Exchequer, in pursuance of the said Acts, or any other thing belonging to the same: Which Officers, or any of them, shall have full power to examine and superseise the Rolls and numbers of Fire-Hearts and Stoves already returned into the said Court of Exchequer; And being accompanied with the Constable, or the Tythingman, Treasurer, Under-Treasurer, or other publick or proper Officer of the place (who are hereby required to attend and assist upon this occasion) and in all Parishes and places where there are no Constables, Tythingmen, or other Publick Officer as aforesaid, there, without any such assistance to enter in the day time into any dwelling or other House, Edifice, Lodgings, and Chambers aforesaid, And to search and examine whether there be any more Fire-Hearts and Stoves in the same then were formerly returned or certified, and what Fire-Hearts or Stoves are increased, or decreased since the former Certificate. After which search and examination, the said Officer, with a Constable, or Tythingman, or Officers as aforesaid, shall have liberty to make the like search and examination once every year: And if they shall finde any variance in the number returned, both the Officer or Officers appointed by his Majesty, and the Constable or Tythingman, or other Officer as aforesaid, to certify the same under his and their hands to the Clerk of the Peace, which Certificate they are hereby enjoined to make; And after Approbation thereof by the Justices of the Peace at their

Grievance

The King may appoint Officers to gather this Revenue.

And to inspect and search Houses.

Search every year.  
The number of Chimnies certified to the Clerk of the Peace.



And by him  
unto the Ex-  
chequer.

The Money a-  
rising, payable  
to the Kings  
Officers.

Distress for de-  
fault of pay-  
ment.

Within what  
time arrears  
must be exact-  
ed.

Remedy against  
violence used  
against the  
Kings Officers.

The former  
Officers dis-  
charged.

Collectors to  
give Security.

No Fee to any  
Officer from  
any Subject.

Penalty.  
Acquittances.

Sessions, the same to be certified to His Majesties Remembrancer in the Exchequer; and the Officer or Officers so appointed by His Majesty unto the same, shall from and after the said four and twentieth day of June, One thousand six hundred sixty four, have power to collect and levy the Revenue and Duties so given to His Majesty as aforesaid, and all Arrears of the same.

And be it further Enacted, That the said Duty shall from time to time be paid after the feast days of Saint Michael the Archangel, and the Annunciation of the Virgin Mary yearly, unto such Officer as shall be appointed by virtue of this present Act, to receive the same upon demand thereof made by such Officer, or his Deputy, at the House, Chamber, or place where the same Duty shall arise, or grow due: And that in case of refusal, or default of such payment thereof, by the space of one hour after such demand, the said Officer or his Deputy may at any time, with the assistance of a Constable, Tythingman, or other Officer as aforesaid, in the day time, levy the said Duty, and all the Arrearages thereof, by Distress and Sale of the Goods of the party or parties so refusing, or making default: restoring to the party or parties the overplus of the value of such Goods, over and above the Duty and Arrearages thereof then behinde, and over and above the necessary charges of taking such Distress, which charges shall in no case exceed the one moiety of the Duty and Arrearages thereof so levied.

Provided always, and be it Enacted, That no Owners, Proprietors, or Occupiers of the said Fire-hearths or Stoves, shall be charged, distrained, or molested for the said Duty, or any Arrearages thereof, at any time after the space of two years next after the Duty hereafter shall become due to His Majesty, his Heirs, or Successors: Nor for any Arrearages of the said Duty already incurred, after the space of two years, from the four and twentieth day of June, One thousand six hundred sixty and four. And in case of violent opposition, or injury done by any person or persons to any such Officer or his Deputy, in the due execution of this Act; and the same proved by Oath before any one Justice of the Peace, or Chief Magistrate or Magistrates of the City, Town, or place, dwelling near unto the place, who are hereby authorized to administer the said Oath: It shall and may be lawful to, and for such Justice of the Peace, Magistrate or Magistrates to punish such offender or offenders, if he shall finde cause, by Imprisonment in the Common Goal, for any time not exceeding the space of one Month. And from and after the said four and twentieth day of June, One thousand six hundred sixty four, all Officers formerly appointed to Collect the said Duty, shall be discharged from the future Collecting and Levying the same, otherwise then as they are directed by this Act: And the said Officer and Officers so appointed by His Majesty to Collect this Duty, shall pay the same into His Majesties Exchequer, to the ends in the said former Acts mentioned.

Provided, That no person or persons shall be employed as aforesaid, unless he and they shall first give in sufficient Security to His Majesty, his Heirs and Successors, for the due Collecting, Levying, and Paying in of the said Revenue, or such part thereof as shall be committed to their respective trusts, and shall likewise take a Corporal Oath before one or more of the Barons of the Exchequer, or before such persons as shall be Authorized to take such Security and Oath by Commission from the said Court of Exchequer, for the due and faithful execution thereof, according to the Laws Enacted to that purpose: And that they shall not exact or demand any Fee, or sum of Money for execution thereof, from any Subject, but onely from the Kings Majesty, under pain of being disabled to execute the said Office or Employment: And upon legal Conviction of any such Crime, to render treble damage to the party grieved: And shall sign and deliver Acquittances for

for Moneys by them receibed, without any Fee or Reward whatsoeber: And every such Acquittance shall be a final Discharge, as in the said first Act is provided.

And be it further Enacted by the Authority aforesaid, That if any person occupying any Hearth or Stove chargeable to his Majesty, shall leave or relinquish any House, Edifice, Lodging, or Chamber before any of the half-yearly feasts, whereon the same is appointed to be paid to his Majesty, his Heirs and Successors; In every such case, the next Occupier thereof shall be chargeable with the same for the said half year: And if any person shall fraudulently stop up, deface, cover or conceal any Chimney-hearth, or Stove chargeable by the said Act, and the same be proved, either by Confession of the party, or upon Oath before one Justice of Peace, or Chief Magistrate, or by their view, he shall for such offence pay double the value of the Duty for the same, to be Levied as aforesaid.

The succeeding Tenant liable for the broken half year.

Penalty for stopping up, or concealing Chimnies, &c.

And be it likewise Enacted, That if any person within one year last past, hath, or hereafter shall let the Lands, Gardens, Orchards, or Out-houses formerly belonging to any Dwelling-house or Cottage apart from the same, or shall divide any House into several Dwellings, or let out the same to any such persons, who by reason of their poverty, may pretend to be exempted from payment of the said Duty, by any Clause or Clauses in the former Acts, That in every such case, such person shall pay the said Duty in as ample manner as they ought to have done before that time. And that no person or persons inhabiting any Dwelling-house (not being an Alms-house exempted by the former Act) within any City, Borough, Corporation, Market-Town, or Parish which hath, or shall have in it more then Two Chimneys, Fire-hearths or Stoves, shall be exempted from payment of the Duties thereon imposed, by colour of any exemption or pretext whatsoeber.

Houses let to Poor men, or parcelled out.

All Houses with two Chimneys, &c. liable.

And if any question or difference shall arise about the taking any Distress, or levying any money by vertue of this Act, the same shall be heard and finally determined by one or more of the Justices of the Peace near adjoining, or their Magistrate of the place respectively, upon complaint in that behalf.

One Justice may decide Differences about Distresses.

And be it further Enacted, That every Collector who shall be authorized and appointed by vertue of this Act to receive any of the said Duties, shall truly answer and pay all such moneys as he shall receive for the said Duties, into his Majesties Receipt of Exchequer, half-yearly, within Three moneths after the Feast of Saint Michael the Archangel, or the Annunciation of the Blessed Virgin Mary, hapning next after the time the same moneys grew due to his Majesty by vertue of the said Acts, and under the penalty of the loss of his Office: And the Justices of Peace, and their Magistrates, Constables, and other his Majesties Officers within their several Limits and Jurisdictions, are hereby authorized and required to give assistance from time to time, to such Officers as shall be appointed by his Majesty, his Heirs and Successors, for the Collecting of the said Duty according to the true meaning of the said former Acts, and this present Act.

Collectors to pay the Money into the Exchequer.

Assistance to the Officers.

Provided, That no person or persons shall be questioned for any Arrears due on or before our Lady day, One thousand six hundred sixty four, who shall produce to the Collector a Certificate approved or to be approved of by the two next Justices of Peace, for their exemption from the said Duty for that time, according to the Rules prescribed in the said first Recited Act; nor any person who hath truly paid the said Duty, and shall, if it be required, make proof thereof before any one Justice of Peace, or other their Magistrate of the place: Any thing therein contained, or any Return made into his Majesties Exchequer to the contrary thereof in any wise notwithstanding.

Persons formerly exempted, or having paid.

Provided also, and be it Enacted by the Authority aforesaid, That all and every such Officer or Officers as shall be at any time appointed by his Majesty,

Constables to be paid for their pains.



Majesty, his Heirs and Successors, for the collecting, gathering, and receiving of the several Sums of Money now or hereafter to grow due unto His Majesty, his Heirs and Successors, for or in respect of the said Duty arising upon the Fire-Hearths and Stoves, shall satisfie and pay unto the respective Petty-Constables and Clerks of the Peace of this Kingdom, all such allowances as are by any former Act or Acts given and allowed unto them, as well for their pains and labor heretofore, as hereafter to be taken by them, as in and by the former Acts concerning Fire-Hearths and Stoves are limited and appointed; Any thing in this Act to the contrary notwithstanding.

## CAP. IV.

An Act to prevent and suppress Seditious Conventicles.

Cap. I, 2.

**V**hereas an Act made in the fife and thirtieth year of the Reign of our late Sovereign Lady Queen Elizabeth, Entituled, An Act to retain the Queens Majesties Subjects in their due Obedience, hath not ben put in due Execution, by reason of some doubt of late made, whether the said Act be still in force; although it be very clear and evident, And it is hereby Declared, That the said Act is still in force, and ought to be put in due execution.

Persons Sixteen  
years old assembled under colour of Religion.

For prohibiting theretofore of further and more speedy Remedies against the growing and dangerous Practices of Seditious Sectaries, and other disloyal persons, who under pretence of Tender-Consciences, do at their Meetings contrive Insurrections, as late experience hath shewed: Be it Enacted by the Kings most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any person of the age of Sixteen years or upwards, being a Subject of this Realm, at any time after the first day of July, which shall be in the year of our Lord, One thousand six hundred sixty and four, shall be present at any Assembly, Conventicle, or Meeting, under colour or pretence of any Exercise of Religion, in other manner then is allowed by the Liturgy, or practise of the Church of England, in any place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, At which Conventicle, Meeting, or Assembly, there shall be five persons or more assembled together, over and above those of the same Household; Then it shall and may be lawful to, and for the Chief Magistrate of the place where such offence aforesaid shall be committed (if it be within a Corporation where there are not two Justices of the Peace) And they are hereby required and enjoyned upon proof to them or him respectively made of such offence, either by confession of the party, or Oath of Witnesses, or notorious Evidence of the fact: (Which Oath the said Justices of the Peace, and Chief Magistrate respectively, are hereby impowred and required to administer) to make a Record of every such offence and offences under their Hands and Seals respectively; which Record so made as aforesaid, shall to all intents and purposes, be in Law taken and adjudged to be a full and perfect Conviction of every such Offender for such offence: And thereupon the said Justices and Chief Magistrate respectively, shall commit every such Offender so convicted as aforesaid, to the Goal, or House of Correction, there to remain without Bail or Mainprize, for any time not exceeding the space of three Moneths, unless such offender shall pay down to the said Justices or Chief Magistrate, such Sum of Money not exceeding five pounds, as the said Justices, or Chief Magistrate (who are hereby thereunto authorized and required) shall Fine the said offender at, for his or her said offence; which Money shall be paid to the Church-Wardens for the relief of the Poor of the Parish where such offender did last inhabit.

Penalty.

Fine.

And

And be it further Enacted by the Authority aforesaid, That if such Offender so convicted as aforesaid, shall at any time again commit the like offence contrary to this Act, and be thereof in manner aforesaid convicted, Then such Offender so convicted of such second offence, shall incur the penalty of Imprisonment in the Goal, or House of Correction, for any time not exceeding six Months, without Bail or Mainprize, unless such Offender shall pay down to the said Justices or Chief Magistrate such sum of money, not exceeding Ten pounds, as the said Justices or Chief Magistrate (who are thereunto authorized and required as aforesaid) shall fine the said offender at, for his or her said second offence, the said fine to be disposed in manner aforesaid.

Second Offence.

And be it further Enacted by the Authority aforesaid, That if any such Offender so convicted of a second offence, contrary to this Act in manner aforesaid, shall at any time again commit the like offence contrary to this Act, Then any two Justices of the Peace, and Chief Magistrate as aforesaid respectively, shall commit every such Offender to the Goal, or House of Correction, there to remain without Bail or Mainprize, until the next General Quarter Sessions, Assizes, Goal-delivery, great Sessions, or sitting of any Commission of Oyer and Terminer in the respective County, Limit, Division or Liberty which shall first happen; when, and where every such Offender shall be proceeded against by Indictment for such offence, and shall forthwith be arraigned upon such Indictment, and shall then plead the General Issue of Not guilty, and give any special matter in Evidence, or confess the Indictment. And if such Offender proceeded against, shall be lawfully convicted of such Offence, either by Confession or Verdict, or if such Offender shall refuse to plead the General Issue, or to confess the Indictment, then the respective Justices of the Peace at their General Quarter Sessions, Judges of Assize and Goal-delivery at the Assizes and Goal-delivery, Justices of the great Sessions at the great Sessions, and Commissioners of Oyer and Terminer, at their sitting, are hereby enabled and required to cause Judgment to be entered against such Offender, That such Offender shall be Transported beyond the Seas to any of His Majesties Foreign Plantations (Virginia and New-England onely excepted) there to remain Seven years; And shall forthwith under their Hands and Seals make out Warrants to the Sheriff or Sheriffs of the same County where such Conviction or Refusal to Plead or to Confess as aforesaid, shall be, safely to convey such Offender to some Port or Haven neerest or most commodious to be appointed by them respectively; And from thence to Embargue such Offender to be safely Transported to any of His Majesties Plantations beyond the Seas, as shall be also by them respectively appointed (Virginia and New-England onely excepted:) Whereupon the said Sheriff shall safely Convey and Embargue, or cause to be Conveyed and Embargued such Offender, to be Transported as aforesaid, under pain of forfeiting for default of so Transporting every such Offender, the sum of Forty pounds of lawful money, the moiety thereof to the King, and the other moiety to him or them that shall Sue for the same in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, or Information; In any of which, no Wager of Law, Essoign or Protection shall be admitted. And the said respective Court shall then also make out Warrants to the several Constables, Head-boroughs, or Tythingmen of the respective places where the Estate real or personal of such Offender so to be Transported shall happen to be, commanding them thereby to Sequester into their hands the profits of the Lands, and to distrain and sell the Goods of the Offender so to be Transported, for the reimbursing of the said Sheriff all such reasonable charges as he shall be at, and shall be allowed him by the said respective Court for such Conveying and Embarguing of such Offender so to be Transported, rendring to the party, or his or her Assigns, the overplus of the same, if any be; unless such Offender, or some other on the behalf

Third Offence.

Offender transported.

Sheriffs penalty for not sending the Offender to Sea.

How the Sheriff shall be paid.

half



half of such Offender so to be Transported, shall give the Sheriff such Security as he shall approve of for the paying all the said Charges unto him.

The banished  
to serve to Mer-  
chants as Ap-  
prentices for  
five years.

And be it further Enacted by the Authority aforesaid, That in default of defraying such Charges by the parties so to be Transported, or some other on their behalf; or in default of Security given to the Sheriff as aforesaid, It shall and may be lawful, for every such Sheriff to Contract with any Master of a Ship, Merchant, or other person, for the Transporting of such Offender at the best rate he can. And that in every such Case it shall and may be lawful for such persons so Contracting with any Sheriff for Transporting such Offender as aforesaid, to detain and employ every such Offender so by them Transported, as a Labourer to them or their Assigns for the space of five years, to all intents and purposes, as if he or she were bound by Indentures to such person for that purpose: And that the respective Sheriffs shall be allowed or paid from the King, upon their respective Accounts in the Exchequer, all such charges by them expended, for Conveying, Embarguing and Transporting of such persons, which shall be allowed by the said respective Courts from whence they received their respective Warrants, and which shall not have been by any of the ways aforesaid mentioned paid, secured, or reimbursed unto them as aforesaid.

Sheriffs allowed  
their Charges  
upon their Ac-  
counts.

Provided always, and be it further Enacted, That in case the Offender so Indicted and Convicted for the said Third offence, shall pay into the hands of the Register or Clerk of the Court or Sessions where he shall be Convicted (before the said Court or Sessions shall be ended) the sum of One hundred pounds, That then the said Offender shall be discharged from Imprisonment and Transportation, and the Judgement for the same.

If the Offender  
pay 100 l.  
he shall not be  
banished.

And be it further Enacted, That the like Imprisonment, Indictment, Arraignment and Proceedings shall be against every such Offender, as often as he shall again offend after such Third offence; Nevertheless is dischargeable and discharged by the payment of the like sum as was paid by such Offender for his or her said offence next before committed, together with the additional and increased sum of One hundred pounds more upon every new offence committed; the said respective sums to be paid as aforesaid, and to be disposed of as followeth, (viz.) The one moiety for the Repair of the Parish Church or Churches, Chappel or Chappels of such Parish within which such Conventicle, Assembly or Meeting shall be held; and the other moiety to the Repair of the High-ways of the said Parish or Parishes (if need require) or otherwise for the amendment of such High-ways as the Justices of the Peace at their respective Quarter-Sessions shall direct and appoint. And if any Constable, Headborough or Tythingman shall neglect to execute any the said Warrants made unto them for Sequestering, Distraining, and Selling the Estate or Goods of any party so to be Transported, or for Distraining and Selling any of the Goods and Chattels of any Offender against this Act, for the Levying such sums of money as shall be imposed for the first or second offence, he shall forfeit for every such neglect the sum of five pounds of lawful money of England, the one moiety thereof to the King, and the other moiety to him that will sue for the same in any of the Kings Courts of Record, as is aforesaid. And if any person be at any time Sued for putting in Execution any of the powers contained in this Act, such person shall and may plead the general Issue, and give the special matter in evidence. And if the Plaintiff be Nonsuit, or a Verdict pass for the Defendant thereupon; or if the Plaintiff discontinue his Action, or if upon Demurrer, Judgment be given for the Defendant, every such Defendant shall have his or their treble Costs.

Third, fourth,  
or more offences  
punished.

How the forfei-  
tures shall be  
distributed.

Officers penal-  
ty not execu-  
ting this Act.

Officers sued,  
may plead the  
general Issue.

Felony to  
escape or return  
without leave.

And be it further Enacted, That if any person against whom Judgment of Transportation shall be given in manner aforesaid, shall make escape before Transportation; or being Transported, as aforesaid, shall return unto this

this Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, without the special License of His Majesty, His Heirs and Successors, in that behalf first had and obtained: That the party so escaping or retreating shall be adjudged a Felon, and shall suffer death as in case of Felony, without benefit of Clergy; and shall forfeit and lose to His Majesty all his or her Goods and Chattels for ever; and shall further lose to His Majesty all his or her Lands, Tenements and Hereditaments for and during the life only of such Offender and no longer. And that the wife of any such Offender by force of this Act shall not lose her Dowry, nor shall any Corruption of blood grow, or be by reason of any such Offence mentioned in this Act: But that the heir of every such Offender by force of this Act, shall and may after the death of such Offender have and enjoy the Lands, Tenements and Hereditaments of such Offenders, as if this Act had not been made.

Without Clergy.

The Wife shall not lose her Dowry. No corruption of blood.

And for better preventing of the mischiefs which may grow by such Seditious and Tumultuous Meetings under pretence of Religious Worship, Be it further Enacted by the Authority aforesaid, That the Lieutenants or Deputy Lieutenants, or any Commissioned Officers of the Militia, or any other of His Majesties Forces, with such Troops or Companies of Horse or Foot; And also the Sheriffs and Justices of Peace, and other Magistrates and Ministers of Justice, or any of them jointly or severally within any of the Counties or Places within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, with such other assistance as they shall think meet or can get in readiness with the soonest, on Certificate made to them respectively under the Hand and Seal of any one Justice of the Peace or Chief Magistrate, as aforesaid, of his particular Information or knowledge of such unlawful Meetings or Conventicles held or to be held in their respective Counties or places: And that he (with such assistance as he can get together is not able to suppress or dissolve the same) shall and may, and are hereby required and enjoined to repair unto the place where they are so held, or to be held; and by the best means they can to dissolve and dissipate or prevent all such unlawful Meetings, and take into their custody such of those persons so unlawfully assembled as they shall judge to be the Leaders and Seducers of the rest, and such others as they shall think fit, to be proceeded against according to Law for such their offences.

Lieutenants and Deputy-Lieutenants, &c. to prevent Conventicles.

And be it Enacted by the Authority aforesaid, That every person who shall wittingly and willingly suffer any such Conventicle, unlawful Assembly or Meeting aforesaid, to be held in his or her House, Out-house, Barn, or Room, Yard or Back-side, Woods or Grounds, shall incur the same penalties and forfeitures as any other Offender against this Act ought to incur, and be proceeded against in all points, in such manner as any other Offender against this Act ought to be proceeded against.

The Owner of the house, &c. where, &c. liable to the same penalties.

Provided also, And be it Enacted by the Authority aforesaid, That if any Keeper of any Goal or House of Correction shall suffer any person committed to his custody for any offence against this Act, to go at large, contrary to the Warrant of his Commitment according to this Act, or shall permit any person who is at large to join with any person committed to his Custody by virtue of this Act, in the exercise of Religion, differing from the Rites of the Church of England; then every such Keeper of a Goal or House of Correction shall for every such Offence forfeit the sum of Ten pounds, to be Levied, Raised and Disposed by such persons, and in such manner as the penalties for the first and second Offences against this Act are to be Levied, Raised and Disposed.

Penalty of a Gaoler letting a Prisoner at large.

Provided always, That no Person shall be punished for any Offence against this Act, unless such Offender be prosecuted for the same within Three months after the Offence committed: And that no Person who shall be punished for any Offence by virtue of this Act, shall

To be prosecuted within three Months.



be punished for the same Offence by vertue of any other Act or Law whatsoever.

A Wife shall  
not be trans-  
ported, but  
sent to Corre-  
ction.

Her Husband  
may redeem  
her.

Prohibited also, and be it Enacted, That Judgement of Transportation shall not be given against any Feme-Cobert, unless her husband be at the same time under the like Judgement, and not discharged by the payment of Money as aforesaid; but that instead thereof she shall by the respective Court be committed to the Goal or House of Correction, there to remain without Bail or Mainprize, for any time not exceeding Twelve Moneths, unless her husband shall pay down such sum, not exceeding Forty pounds, to redeem her from Imprisonment, as shall be imposed by the said Court, the said sum to be disposed by such persons, and in such manner as the Penalties for the first and Second Offence against this Act are to be disposed.

Houses may be  
broken open.

Prohibited also, and be it Enacted by the Authority aforesaid, That the Justices of the Peace, and Chief Magistrate respectively Impowered as aforesaid to put this Act in execution, shall and may, with what aid, force and assistance they shall think fit, for the better execution of this Act, after refusal or denial, Enter into any House or other place where they shall be informed any such Conventicle as aforesaid is, or shall be held.

How Peers  
Houses shall be  
searched.

Prohibited, That no Dwelling-house of any Peer of this Realm, whilst he or his Wife shall be there resident, shall be searched by vertue of this Act, but by immediate Warrant from His Majesty under His Sign Manual, or in the presence of the Lieutenant, or one of the Deputy-Lieutenants, or two Justices of the Peace, whereof one to be of the Quorum of the same County or Riding. Nor shall any other Dwelling-house of any Peer or other person whatsoever be entered into with force, by vertue of this Act, but in the presence of one Justice of the Peace, or Chief Magistrate respectively, except within the City of London, where it shall be lawful for any such other Dwelling-house to be entered into as aforesaid, in the presence of one Justice of the Peace, Alderman, Deputy-Alderman, or any one Commissioner of the Lieutenancy for the City of London.

Who shall not  
be sent to Cor-  
rection.

Prohibited also, and be it Enacted by the Authority aforesaid, That no person shall by vertue of this Act be committed to the House of Correction, that shall satisfy the said Justices of the Peace, or Chief Magistrate respectively, That he or she (and in case of a Feme-Cobert, that her husband) hath an Estate of Free-hold, or Copy-hold to the value of Five pounds per annum, or personal Estate to the value of Fifty pounds; Any thing in this Act to the contrary notwithstanding.

Penalty of refu-  
sing to take Le-  
gal Oaths.

And in regard a certain Sect called Quakers, and other Sectaries, are found not onely to offend in the matters provided against by this Act, but also to obstruct the proceeding of Justice by their obstinate refusal to take Oaths lawfully tendered unto them in the ordinary course of Law; Therefore be it further Enacted by the Authority aforesaid, That if any person or persons being duly and legally served with Process, or other Summons to appear in any Court of Record, except Courts-Leet, as a Witness, or returned to serve of any Jury, or ordered to be examined upon Interrogatories, or being present in Court, shall refuse to take any Judicial Oath legally tendered to him by the Judge or Judges of the same Court, having no Legal Plea to justify or excuse the refusal of the same Oath; or if any person or persons being duly served with Process, to answer any Bill exhibited against him or them in any Court of Equity, or any Suit in any Court Ecclesiastical, shall refuse to answer such Bill or Suit upon his or their Corporal Oath, in cases where the Law requires such Answer to be put in upon Oath; or being summoned to be a Witness in any such Court, or ordered to be examined upon Interrogatories, shall for any cause or reason, not allowed by Law, refuse to take such Oath, as in such cases is required by Law; That then, and in such case, the several and respective Courts wherein such refusal

refusal shall be made, shall be, and are hereby enabled to Record, Enter, or Register such refusal, which Record or Entry shall be, and is hereby made a Conviction of such Offence. And all and every person and persons so as aforesaid offending, shall for every such Offence incur the Judgement and Punishment of Transportation in such manner as is appointed by this Act for other Offences.

Prohibited always, That if any the person or persons aforesaid shall come into such Court, and take his or their Oath in these words;

Taking of this Oath excuseth the last mentioned Offences.

I do swear, that I do not hold the taking of an Oath to be unlawful, nor refuse to take an Oath on that account.

Which Oath the respective Court and Courts aforesaid are hereby authorized and required forthwith to tender, administer, and register before the Entry of the Conviction aforesaid, or shall take such Oath before some Justice of the Peace, who is hereby authorized and required to administer the same, to be returned into such Court; such Oath so made shall acquit him or them from such punishment; Any thing herein to the contrary notwithstanding.

Prohibited always, That every person convicted as aforesaid in any Courts aforesaid (other then His Majesty's Court of Kings Bench, or before the Justices of Assize, or General Goal-Deliber) shall by Warrant containing a Certificate of such Conviction under the Hand and Seal of the respective Judge or Judges before whom such Conviction shall be had, be sent to some one of His Majesties Goals in the same County where such Conviction was had, there to remain without Bail or Mainprize until the next Assizes, or General Goal-Deliber; where, if such person so convicted shall refuse to take the Oath aforesaid, being tendered unto him by the Justice or Justices of Assize or Goal-Deliber, then such Justice or Justices shall cause Judgement of Transportation to be executed, in such manner as Judgement of Transportation by this Act is to be executed. But in case such person shall take the said Oath, then he shall thereupon be discharged.

Refusers of Legal Oaths transported.

Prohibited always, and be it Enacted by the Authority aforesaid, That if any Peer of this Realm shall offend against this Act, he shall pay Ten pounds for the first offence, and Twenty pounds for the second offence, to be levied upon his Goods and Chattels by Warrant from any two Justices of the Peace, or Chief Magistrate of the Place or Division where such Peer shall dwell; and that every Peer for the third, and every further offence against the Tenour of this Act, shall be tried by his Peers, and not otherwise.

Penalty of Peers.

Prohibited also, and be it further Enacted by the Authority aforesaid, That this Act shall continue in force for Three years after the end of this present Session of Parliament; and from thence forward, to the end of the next Session of Parliament after the said Three years, and no longer.

How long this Act to continue.

#### CAP. V.

An Act to prevent the Disturbances of Sea-men and others, and to preserve the Stores belonging to His Majesties Navy Royal. EXP.

#### CAP. VI.

An Act to prevent the delivering up of Merchants Ships.

**V**hereas it often happeneth that Masters and Commanders of Merchants Ships do suffer their Ships to be boarded and the Goods to be taken out by Pyrats and Sea-Robbers, notwithstanding they have sufficient force to defend themselves, whereby not only the Merchants are much prejudiced, but the Honour of the English

Preamble.



Rabigation is thereby much diminished, and Merchants discouraged from lading their goods on board English Ships, to the decay of Shipping; In the preservation whereof, the wealth, honour and safety of this Nation is so much concerned: To which the said Masters are encouraged by a practice used towards them by the Turks and others, who after they have taken out the goods, as an encouragement to Masters of Ships to yield, do not onely restore the Ship with such goods as are claimed by the Masters or Seamen, but many times pay unto the Masters all, or some part of the Freight, which hath many times caused suspicion of treachery in the said Masters, to the great Dishonour of the English Nation.

The Court of Admiralty to punish Offenders.

Ships of 200 Tuns.

Remedy for the Owners of the Goods, by seizure of the Ship and Tackle.

No Master of a Ship to desert his Ship.

Ships under 200 Tuns must fight.

Ships seized in the execution of this Act.

For the prevention thereof for the future, and for the better encouragement to Merchants, as well Foreigners as English, to freight and use English Ships, Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons assembled in Parliament, and by Authority of the same, That where any Goods or Merchandizes shall be laden on board any English Ship, which Ship shall be of the burden of Two hundred Tuns or upwards, and mounted with sixteen Guns or more; if the Master or Commander shall yield up the said Goods to any Turkish Ships or Vessels, or to any Pirates or Sea-Robbers whatsoever without fighting, That then and in such case the Master shall (upon proof thereof made in the High Court of Admiralty) be from thenceforth incapable of taking charge of any English Ship or Vessel as Master or Commander thereof. And if he shall at any time thereafter presume to take upon him to Command any English Ship or Vessel, he shall suffer Imprisonment by Warrant from the said Court, during the space of six Months for every Offence: And in case the persons so taking the said Goods, shall release, give back, or let pass the Ship, or shall pay unto the said Master any Sum or Sums of Money, or any Goods in lieu of Money for Freight or other Reward or Gift, That in all or any such cases the said Goods or Monies so given, or the value thereof, as also the Masters part of such Ship, her Tackle, Apparel and Furniture so released, given back, or let pass, out of which the said Goods were taken, shall be liable to repair the persons whose Goods were so delivered or taken, by Action in the High Court of Admiralty; And in case the Commanders or Masters part of the Ship, Tackle, Apparel, and Furniture, together with such Money and Goods given as aforesaid, shall not be sufficient to repair all the damages sustained, then the Reparations to be recovered on the Master or Commanders part of the Ship to be divided pro Rata amongst the persons prosecuting and proving their damages; and the persons damaged to have their Action against the Master for the remainder.

And be it further Enacted by the Authority aforesaid, That no Master of any such English Ship as aforesaid, being at Sea, and having discovered any Ship to be a Turkish Ship, Pirate, or Sea-Rober, shall depart out of his Ship upon any pretence whatsoever, lest by his detention on board any such Ship, the safety of his own Ship be hazarded,

And be it further Enacted, That if the Master of any English Ship or Vessel, though not of the Burthen of Two hundred Tuns, or mounted with sixteen Guns, as aforesaid, shall yield his said Ship unto any Turkish Ship, Pirate, or Sea-Rober (not having at the least double his number of Guns) without fighting; Every such Master shall be liable to all and every the penalties in this Act contained.

And be it further Enacted by the Authority aforesaid, That upon Process made out of the High Court of Admiralty, It shall and may be law-

lawful to and for all Commanders of His Majesties Ships of War, or the Commanders of any other English Ships, to seise such Ships or Masters so offending, according to the said Processe in such case to be issued, and the same to bring or send in custody into any Ports of His Majesties Dominions, there to be proceeded against according to the intent and meaning of this Act.

Provided that none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or State in Amity with the Kings Majesty. Priviledges of Forrein Ports.

And be it further Enacted by the Authority aforesaid, That if the Mariners or inferiour Officers of any English Ship laden with Goods and Merchandizes as aforesaid, shall decline or refuse to fight and defend the Ship when they shall be thereunto commanded by the Master or Commander thereof, or shall utter any words to discourage the other Mariners from defending the Ship; That every Mariner who shall be found guilty of declining or refusing as aforesaid, shall lose all his Wages due to him, together with such Goods as he hath in the Ship, and suffer Imprisonment, not exceeding the space of Six Months; and shall during such time, be kept to hard labour for his or their maintenance. Punishment for refusing to fight, and discouraging others.

Provided always, That if any Ship shall have been yielded as aforesaid, contrary to the will and endeavour of the Master or Commander, by the disobedience of his Mariners, testified by their having laid violent hands on him, That in such case the Master or Commander shall not be liable to the Sentence of Incapacity as aforesaid, nor to any Action for the Losses sustained by the Merchants, unlesse he shall have received back from the takers thereof, his Ship, or some Recompence, Gift or Reward as aforesaid. The Master of a Ship forced to give up his Ship by his Mariners.

And be it further Enacted by the Authority aforesaid, That every Mariner who shall have laid violent hands on his Commander, whereby to hinder him from fighting in defence of his Ship and Goods committed to his Trust, shall suffer death as a Felon. Such Mariners punished.

And for the better encouragement to Captains, Masters, Officers and Sea-men to defend their Ships, Be it Enacted by the Authority aforesaid, That when any English Ship shall have been defended by fight, and brought to her designed Port, in which fight any of the Officers or Sea-men shall have been wounded, it shall and may be lawful to and for the Judge of His Majesties High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship shall arrive at her return, upon Petition of the Master or Sea-men of such Ship so defended as aforesaid, to call unto him such and so many as he shall be informed to be Adventurers or Owners of the Ship and Goods so defended, and by advice with them, to raise and levy upon the respective Owners and Adventurers, by Process out of the said Court, such Sum or Sums of Money as himself, with the major part of the Adventurers or Owners then present shall judge reasonable, not exceeding the value of Two per Cent. of the Ship and Goods so defended, according to the first cost of the Goods, to be made appear by the Envoyce (which the Owner or his Factor, or Correspondent, is hereby required to produce) or by the Oath of the said Owner, Factor, or Correspondent, if thereunto required; which Money so raised, shall be paid unto the Register of the said Court, who shall receive for the same, Three pence in each pound, and no more, thence to be distributed amongst the Captain, Master, Officers and Sea-men of the said Ship, or Widows and Children of the slain, according to the direction of the Judge of the said Court, with the approbation of Three or more of the Owners or Adventurers aforesaid, who shall proportion Mariners, saving a Ship by fight, rewarded.



portion the same according to their best Judgements unto the Ships Company, as aforesaid, having especial regard unto the Widows and Children of such as shall have ben slain in that Service, and to such as shall have ben wounded or maimed.

A Pyrates Ship taken, how to be shared.

And in case the Company belonging to any English Merchant-ship, shall happen to take any Ship, which Ship shall first have assaulted them, the respective Officers and Mariners belonging to the same, shall after Condemnation of such Ship and Goods, have and receive to their own proper use and benefit, such part and share thereof as is usually practised in Private Men of War.

No Master or Mariner to burn or wilfully lose a Ship.

And whereas it often happeneth, that Masters and Mariners of Ships having ensured or taken upon Botomary greater sums of money then the value of their Adventure, do wilfully cast away, burn, or otherwise destroy the Ships under their Charge, to the Merchants and Owners great loss; For the prevention thereof for the future, Be it enacted by the Authority aforesaid, That if any Captain, Master, Mariner, or other Officer belonging to any Ship, shall wilfully cast away, burn, or otherwise destroy the Ship unto which he belongeth, or procure the same to be done, he shall suffer death as a Felon.

Provided that this Act shall continue for Three years, and from thence to the end of the next Session of Parliament, and no longer.

#### C A P. VII.

An Act against deceitful, disorderly, and excessive Gaming.

Preamble.

Grievances.

Money won by deceit or gaming, restored threefold.

**W**hereas all Lawful Games and Exercises should not be otherwise used, then as Innocent and Moderate Recreations, and not as constant Trades or Callings, to gain a Living, or make unlawful Advantage thereby; And whereas by the immoderate use of them, many mischiefs and inconveniencies do arise, and are daily found, to the maintaining and encouraging of sundry idle, loose, and disorderly persons in their dishonest, lewd and dissolute course of life, And to the circumventing, deceiving, couzening, and debauching of many of the younger sort both of the Nobility and Sentry, and others, to the loss of their precious time, and the utter ruin of their Estates and Fortunes, and withdrawing them from Noble and Laudable Employments and Exercises:

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same; That if any person or persons of any Degree or Quality whatsoever, at any time or times after the Nine and twentieth day of September, which shall be in the year of our Lord God, One thousand six hundred sixty and four, do, or shall by any fraud, shift, couzenage, circumvention, deceit, or unlawful device, or ill practice whatsoever in playing at or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shoebel-board, or in, or by Cock-fightings, Horse-races, Dog-matches, or Foot-races, or other Pastimes, Game, or Games whatsoever, or in, or by bearing a share, or part in the Stakes, Wagers, or Adventures, or in, or by betting on the Sides or Hands of such as do, or shall Play, Act, Ride or Run as aforesaid, win, obtain, or acquire to him or themselves, or to any other or others, any Sum or Sums of Money, or other valuable thing or things whatsoever; That then every person and persons so offending as aforesaid, shall ipso facto forfeit and lose treble the sum or value of Money, or other thing or things so won, gained, obtained, or acquired; The one moiety thereof to our Sovereign Lord the King, his Heirs and Successors, and the other moiety thereof unto the person or persons grieved, or who shall lose the Money, or

or other thing or things so gained; so as every such Loser and person grieved in that behalf, he or shall prosecute and sue for the same within six Kalender Moneths next after such Play. And in default of such prosecution, the same other Mopety to such person or persons as shall or will prosecute or sue for the same within one Year next after the said six Moneths expired; And that the said forfeitures shall or may be sued for, or recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts at Westminster, wherein no Essoign, Protection, or Wager of Law shall be allowed. And that all and every such Plaintiff or Plaintiffs, Informer or Informers shall in every such Suit and Prosecution have and recover his and their treble Costs against the person offending and forfeiting as aforesaid; Any Law, Statute, Custom, or Usage to the contrary in any wise notwithstanding.

To be sued for  
within six  
Moneths.

Treble Costs.

And for the better avoiding and preventing of all excessive and immoderate Playing and Gaming for the time to come, Be it further Ordained and Enacted, by the Authority aforesaid, That if any person or persons shall at any time or times after the Nine and twentieth day of September aforesaid, Play at any of the said Games, or any other Pastime, Game, or Games whatsoever, (other then with or for ready money) or shall Bet on the Sides or Hands of such as do or shall play thereat, and shall lose any sum or sums of money, or other thing or things so plaid for, exceeding the sum of One hundred pounds at any one time or meeting; upon Ticket or Credit, or otherwise; and shall not pay down the same at the time when he or they shall so lose the same, The party and parties who loseth, or shall lose the said moneys, or other thing or things so played, or to be played for, above the said sum of One hundred pounds, shall not in that case be bound or compelled, or compellable to pay or make good the same; but the Contract and Contracts for the same, and for every part thereof, and all and singular Judgements, Statutes, Recognizances, Forfeitures, Conspicances, Assurances, Bonds, Bills, Specialties, Promises, Covenants, Agreements, and other Acts, Deeds, and Securities whatsoever, which shall be obtained, made, given, acknowledged, or entered into for security or satisfaction, of, or for the same, or any part thereof, shall be utterly void and of none effect: And that the person or persons so winning the said moneys, or other things, shall forfeit and lose treble the value of all such sum and sums of money, or other thing and things which he shall so win, gain, obtain, or acquire above the said sum of One hundred pounds, the one moiety thereof to our said Sovereign Lord the King, his Heirs and Successors; and the other moiety thereof to such person or persons as shall prosecute or sue for the same, within one year next after the time of such Offence committed; And to be sued for by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoign, Protection, or Wager of Law shall be allowed. And that every such Plaintiff or Plaintiffs, Informer or Informers, shall in every such Suit and prosecution have and receive his treble Costs against the person or persons offending and forfeiting as aforesaid; Any Law, Custom, or Usage to the contrary notwithstanding.

Contracts and  
specialties for  
money won at  
play above  
100 l. void.

The person  
winning to  
render treble  
the money  
won.

#### C A P. VIII.

An Act for continuance of a former Act for Regulating the Press.

**B**E it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, That an Act made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is; Entituled, An Act for preventing the frequent Abuses in Printing Seditious, Treasonable, and Unlicensed Books and Pamphlets, and for Regulating of Printing, and Printing-Presses, shall be continued and remain in force until the end of the next Session of Parliament.

13 Car. 2.  
Cap. 1.  
14 Car. 2.  
Cap. 33.

A N N O



ANNO XVI, & XVII.  
**Caroli II. Regis.**

At the Session of the same PARLIAMENT held at *Westminster*, the Four and twentieth day of *November*, 1664. in the Sixteenth Year of the Reign of our Sovereign Lord King *Charles* the Second, &c. and there continued to the Second day of *March*, 1664. in the Seventeenth Year of the said King.

C A P. I.

An Act for granting a Royal Aid unto the Kings Majesty, of Twenty four hundred threescore and seventeen thousand and five hundred Pounds, to be Raised, Levied, and Paid in the space of Three Years.

Preamble.



¶ Your Majesty's most Dutiful and Loyal Subjects the Commons Assembled in Parliament, taking into Consideration the great and apparent Dangers which now threaten this Kingdom; and that for prevention thereof, Your Majesty hath found Your Self obliged to Equip and Set out to Sea a Royal Navy for the preservation of Your Majesty's ancient and undoubted Sovereignty and Dominion in the Seas, and the Trade of Your Majesty's Subjects; And having duly weighed and considered the several ways and means by which Your Majesty hath been enforced to make these Preparations at so vast an Expence, And acknowledging with all humility and thankfulness Your Majesty's abundant Care for our Preservation; and being deeply sensible of that extraordinary Charge and Expence with which Your Majesty's present Engagement ought to be supported; and of those Inconveniencies which must needs befall the Nation, if we should be wanting to our selves in this so weighty and important Occasion; Have cheerfully and unanimously given and granted, and do hereby give and grant unto Your most Excellent Majesty, the sum of Twenty four hundred threescore and seventeen thousand and five hundred Pounds, to be Raised and Levied in manner following.

And do humbly beseech Your Majesty, That it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by Authority of the same, That for the Righting of Your Majesty, and Your Majesty's Subjects against the Dutch, the sum of twenty four hundred threescore and seventeen thousand and five hundred Pounds shall be Raised, Levied, and Paid unto your Majesty within the space of Three Years in manner following; that is to say, The sum of Threescore and eight thousand eight hundred and nineteen pounds and nine shillings by the Month, for Thirty six Months, beginning from the Five and twentieth day of December, One thousand six hundred sixty four, shall be Assessed, Rated, Collected, Levied and Paid by Twelve quarterly payments, in the several Counties, Cities, Burroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the several rules and proportions, and in such manner

manner as is hereafter expressed: That is to say, For every Shire of the said Thirty six Shires,

For the County of Bedford, the sum of Eight hundred ninety six pounds seventeen shillings and nine pence.

The County of Berks, the sum of One thousand one hundred thirty two pounds six shillings and seven pence.

The County of Bucks, the sum of One thousand three hundred and fifteen pounds six shillings and five pence.

The County of Cambridge, the sum of One thousand and twenty pounds.

The Isle of Ely, the sum of Three hundred forty nine pounds seventeen shillings and eleven pence.

The County of Chester, with the City and County of the City of Chester, the sum of Eight hundred and one pounds, five shillings and six pence.

The County of Cornwall, the sum of One thousand five hundred and forty pounds eighteen shillings and three pence.

The County of Cumberland, the sum of One hundred sixty eight pounds six shillings and a penny.

The County of Derby, the sum of Eight hundred sixty two pounds eight shillings and four pence.

The County of Devon, the sum of Three thousand two hundred twenty nine pounds nineteen shillings and two pence.

The City and County of the City of Exon, the sum of One hundred and fifteen pounds seven shillings and four pence.

The County of Dorset, the sum of One thousand three hundred forty four pounds ten shillings and five pence.

The Town and County of Pool, the sum of Ten pounds nineteen shillings and eight pence.

The County of Durham, the sum of Three hundred twenty three pounds sixteen shillings and nine pence.

The County of York, with the City and County of the City of York, and Town and County of Kingstone upon Hull, the sum of Three thousand four hundred sixty nine pounds five shillings and two pence.

The County of Essex, the sum of Three thousand ninety eight pounds eight shillings and ten pence.

The County of Gloucester, the sum of One thousand eight hundred and eight pounds ten shillings and three pence.

The City and County of the City of Gloucester, the sum of Thirty nine pounds eight shillings.

The County of Hereford, the sum of One thousand one hundred thirty one pounds thirteen shillings and four pence.

The County of Hertford, the sum of one thousand three hundred forty five pounds sixteen shillings and three pence.

The County of Huntingdon, the sum of six hundred thirty three pounds fourteen shillings and two pence.

The County of Kent, with the City and County of the City of Canterbury, the sum of Three thousand three hundred twenty six pounds eighteen shillings and eight pence.

The County of Lancaster, the sum of One thousand and six pounds thirteen shillings and six pence.

The County of Leicester, the sum of One thousand eighty four pounds fourteen shillings and three pence.

The County of Lincoln, with the City and County of the City of Lincoln, the sum of Two thousand five hundred seventy five pounds two shillings.

The City of London, with the Liberty of S. Martins le grand, the sum of Five thousand ninety one pounds eleven shillings and four pence.

The County of Middlesex, with the City and Liberty of Westminster, the sum



sum of Two thousand two hundred and forty pounds ten shillings.

The County of Monmouth, the sum of Three hundred and ninety pounds.

The County of Northampton, the sum of one thousand four hundred and thirteen pounds eighteen shillings and two pence.

The County of Nottingham, with the Town and County of the Town of Nottingham, the sum of Eight hundred seventy three pounds eight shillings.

The County of Norfolk, the sum of Three thousand three hundred seventy pounds twelve shillings.

The City and County of the City of Norwich, the sum of One hundred and eighty pounds.

The County of Northumberland, with the Towns of Newcastle and Berwick upon Tweed, the sum of Three hundred seventy two pounds fifteen shillings and eight pence.

The County of Oxon, the sum of Eleven hundred thirty five pounds ten shillings and eight pence.

The County of Rutland, the sum of two hundred and forty pounds eight shillings and eleven pence.

The County of Salop, the sum of One thousand two hundred and three pounds fourteen shillings and two pence.

The County of Stafford, the sum of Eight hundred fifty two pounds eleven shillings and eight pence.

The City and County of the City of Litchfield, the sum of Thirteen pounds.

The County of Somerset, the sum of Two thousand seven hundred seventy one pounds ten shillings and eight pence.

The City and County of the City of Bristol, the sum of One hundred ninety nine pounds eight shillings and four pence.

The County of Southampton, with the Town and County of Southampton, and Isle of Wight, the sum of Two thousand one hundred eighty nine pounds eight shillings and eight pence.

The County of Suffolk, the sum of Three thousand two hundred ninety eight pounds ten shillings and eight pence.

The County of Surrey with the Burrough of Southwark, the sum of One thousand five hundred ninety seven pounds and two pence.

The County of Suffex, the sum of One thousand eight hundred twenty one pounds seven shillings and nine pence.

The County of Warwick, with the City and County of the City of Coventry, the sum of One thousand one hundred ninety two pounds eight shillings and nine pence.

The County of Worcester, the sum of One thousand fifty three pounds and nineteen shillings.

The City and County of the City of Worcester, the sum of Fifty five pounds nine shillings and six pence.

The County of Wilts the sum of One thousand nine hundred sixty six pounds seventeen shillings and seven pence.

The County of Westmerland, the sum of One hundred and sixteen pounds.

The Isle of Anglesey, the sum of One hundred twenty five pounds thirteen shillings and eight pence.

The County of Brecknock, the sum of Two hundred eighty two pounds ten shillings and five pence half-penny.

The County of Cardigan, the sum of One hundred and five pounds fifteen shillings and nine pence half-penny.

The County of Carmarthen, the sum of two hundred seventy two pounds six shillings and eight pence.

The County of Carnarvan, the sum of One hundred forty six pounds twelve shillings and two pence.

The

The County of Denbigh, the sum of Two hundred twenty three pounds ten shillings and seven pence.

The County of Flint, the sum of One hundred and eighteen pounds seven shillings and four pence.

The County of Glamorgan, the sum of Three hundred seventy eight pounds seventeen shillings and ten pence.

The County of Merioneth, the sum of One hundred pounds sixteen shillings and a penny.

The County of Montgomery, the sum of Two hundred seventy six pounds twelve shillings and two pence.

The County of Pembroke, the sum of Three hundred twenty six pounds and ten shillings.

The County of Radnor, the sum of One hundred seventy four pounds six shillings and eight pence.

The Town of Haverford West, the sum of Fifteen pounds three shillings and five pence.

And be it further Enacted by the Authority aforesaid, That all and every the persons hereafter named, shall be Commissioners of and for the several and respective Counties, Cities, Burroughs, Towns, and Places hereafter named. [The Commissioners Names for the several Counties are here omitted.]

And be it further Enacted and Declared, That the several Commissioners aforesaid, shall meet together at the most usual and common place of meeting within each of the said Counties, Cities, Burroughs, Towns, and Places respectively, on or before the tenth day of March now next ensuing; And the said Commissioners, or so many of them as shall be present at the said first General Meeting, or the major part of them, are hereby authorized and required to put this present Act in execution, according to the best of their Judgments and Discretions; and shall then, if they see cause, subdivide and distribute themselves so into lesser numbers, as two or more of the said Commissioners may be appointed for the service of each Hundred, or other Division; and as may best conduce to the carrying on of His Majesty's Service hereby required.

Where the  
Commissioners  
shall meet.

And for the more effectual performance thereof, Be it Enacted and Declared, That the Commissioners at their aforesaid first General Meeting, or the major part of them, shall agree and set down in writing who and what number of the said Commissioners shall act in each of the said Divisions or Hundreds; To the end that there be no failure in any part of the due execution of the Service by this Act required.

Who shall act.

And be it Enacted and Declared by the Authority aforesaid, That the Commissioners within the several Divisions or Hundreds, or any Two or more of them, are hereby authorized and required to cause the said several Proportions charged on the respective Divisions, and on every Parish and Place therein, for the said three years Assessment, to be equally assessed and rated; and to appoint two or more Assessors in each Parish or Place for the perfecting thereof, who are hereby required with all care and diligence to assess the same equally by a Pound-rate upon all Lands, Tenements, Hereditaments, Annuities, Rents, Parks, Warrens, Woods, Chattels, Stock, Merchandize, Offices, other then Judicial and Military Offices, and Offices relating to the Navy under the Command of the Lord High Admiral, and Offices within his Majesty's Household; Tolls, Profits, and all other Estates both real and personal, within the Limits, Circuits, and Bounds of their respective Parishes and Places.

The Commis-  
sioners to make  
Rates.

And be it further Enacted by the Authority aforesaid, That the sum of Two hundred and six thousand four hundred fifty and eight pounds six shillings and eight pence, being the first of the said Twelve Quarterly payments hereby imposed, shall be assessed, collected, levied, and paid in to the Receiver-General of the said several Counties, who shall be appointed by His Majesty; And who are hereby required to transmit, or cause the same to be paid into

The Kings  
Receiver-  
General.  
First payment.



- His Majesties Receipt of His Exchequer, on 02 before the First day of May, in the year of our Lord One thousand six hundred sixty and five. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the second of the said Quarterly payments, on 02 before the First day of August, in the year of our Lord One thousand six hundred sixty five. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings and eight pence, being the third of the said Quarterly payments, on 02 before the First day of November, in the year of our Lord One thousand six hundred sixty five. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the fourth of the said Quarterly payments on 02 before the First day of February, in the year of our Lord One thousand six hundred sixty five. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the fifth of the said Quarterly payments, on 02 before the First day of May, in the year of our Lord One thousand six hundred sixty six. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the sixth of the said Quarterly payments, on 02 before the First day of August, in the year of our Lord One thousand six hundred sixty six. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the seventh of the said Quarterly payments, on 02 before the First day of November, in the year of our Lord One thousand six hundred sixty six. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the eighth of the said Quarterly payments, on 02 before the First day of February, in the year of our Lord One thousand six hundred sixty six. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the ninth of the said Quarterly payments, on 02 before the First day of May, in the year of our Lord One thousand six hundred sixty seven. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the tenth of the said Quarterly payments, on 02 before the First day of August, in the year of our Lord One thousand six hundred sixty seven. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the eleventh of the said Quarterly payments, on 02 before the First day of November, in the year of our Lord One thousand six hundred sixty seven. And the sum of Two hundred and six thousand four hundred and fifty and eight pounds six shillings eight pence, being the twelfth of the said Quarterly payments, on 02 before the First day of February, in the year of our Lord One thousand six hundred sixty seven.

The Rates put  
in writing.

And for the compleating of the whole sum charged upon the same; and to the end the aforesaid sums charged upon the several and respective Counties, Cities, Burroughs, Towns and places may be equally and indifferently assessed, according to the true intent of this Act, and the money duly collected and true account thereof made; the said Assessors are hereby required to deliver one Copy of their respective Assessments fairly written and subscribed by them unto the said Commissioners; and the said Commissioners, or any two or more of them are hereby ordered and required to sign and seal two Duplicates of the said Assessments, and the one of them to deliver or cause to be delivered to one or more honest and responsible person or persons to be Sub-collector or Sub-collectors, which the said Commissioners are hereby authorized to nominate and appoint for each Parish or place, with Warrant to the said Sub-collector or Sub-collectors to collect the said Assessment, payable as aforesaid; so as the said several sums may be paid into the said Receiver-General, and by them into the Receipt of his Majesty's Exchequer at the respective times aforesaid; and the said Commissioners are hereby required to deliver or cause to be delivered the other of the said Duplicates of each Parish or place to the Receiver-General of each County, City, Town, or place respectively, to be by him the said Receiver-

Receiver-General transmitted into the Kings Remembrancers Office in the Exchequer, which the said Receiver-General is required to perform accordingly.

And be it further Enacted and Declared, That the said Commissioners in their respective Divisions or Hundreds, or any two or more of them shall and are hereby impowered to nominate and appoint under their Hands and Seals an honest, able and responsible person to be Head-collector, unto whom the moneys received by the Sub-collectors within the Division or Hundred, shall from time to time be duly paid; And the said Head-collector is hereby required upon the receipt thereof, to pay the same forthwith to the Receiver-General of each County respectively.

Head-collector.

And be it further Enacted and Declared, That the particular Collectors and Sub-collectors are hereby required to pay in all and every the sums so received by them to the said Receivers-General aforesaid, who are hereby required forthwith to transmit, or cause to be paid the moneys by them received, into the Receipt of his Majesty's Exchequer; And the said Lord Treasurer is hereby Authorized to allow the said Receiver-General of each County, City, and Town respectively, in case he hath returned up as aforesaid, a Duplicate of the Assessment of each Parish or place in County, City, or Town, for which he is appointed Receiver-General, a Salary for his pains, not exceeding one penny in the pound, upon the clearing of his Account, which Duplicate is to be returned into the Kings Remembrancers Office in the Exchequer, is intended to contain no more then the sums in gross to be collected by each Sub-collector, and the several Names of the said Sub-collectors.

Collectors to pay to the Receiver-General.

And it is hereby further Enacted and Declared, that the Sub-collectors of each Parish or place which shall be appointed by virtue of this Act, shall upon the collection of the whole Sum appointed to be collected by them, and payment thereof as is hereby and before appointed, have and receive for their pains in collecting and paying the moneys one penny in the pound; which the said several Head-collectors are hereby authorized to pay unto them, and the several Head-collectors which shall be appointed by virtue of this Act, shall upon the payment of the whole sum due from their Hundred or Division to the Receiver-General of each County, have and receive for their pains in receiving and paying the said moneys, one penny in the pound, which each Receiver-General is hereby authorized to pay and allow unto them accordingly; and also upon the Receipt of the whole Assessment of the County, City, or Town, for which he is appointed Receiver-General, in case he hath received the several Duplicates of each Parish or place therein, and not otherwise, to allow and pay according to such Warrant as shall be in that behalf given by the said Commissioners or any three of them, one penny in the pound for the Commissioners Clerks, for their pains in fair writing the Assessments, Duplicates and Copies.

Sub-collectors.

Provided, That no Head-collector shall be appointed for any City or Town, which is by this Act particularly charged with the payment of any sum towards the Assessment hereby to be levied; and for which a Receiver-General is to be appointed, excepting within the City of London.

Who may not be Head-collector.

And be it Enacted and Declared, That if any person shall refuse or neglect to pay any sum of money, whereat he shall be rated or assessed, That then it shall and may be lawful to and for the said Collectors, Sub-collectors, or any of them, who are hereby Authorized and required thereunto, to levy the sum assessed by distress and sale of the Goods of such persons so refusing or neglecting to pay, deducting the sum assessed and reasonable charges of distraining, and restore the Overplus to the Owner thereof. And to break open in the day-time any house, and upon Warrant under the Hands and Seals of two or more of the said Commissioners, any Chest, Trunk, or Box, or other things, where any such Goods are, and to call to their assistance the Constables, Tything-men and Headboroughs within the Counties, Cities, Towns or places, where any refusal, neglect, or resistance shall be made: which said Officers and forces are hereby required to be aiding and assisting in the Premises, as they will answer the contrary at their perils. And if any question or difference happen upon

Remedy to levy the Tax.



Imprisonment  
for the Tax.

Tenants may  
pay the Tax,

And deduct the  
same out of  
their Rent.

Commissioners  
to decide differ-  
ences between  
Landlord and  
Tenant.

Remedy for  
persons over-  
rated.

Negligence of  
Officers.

upon taking of such Distresses between the parties Distressed or Distrained, the same shall be ended and determined by the said Commissioners, or any two or more of them. And if any person or persons shall refuse or neglect to pay his or their Assessment, and convey his or their Goods, or other personal Estate, whereby the sum of money so assessed cannot be levied according to this Act, then the respective Commissioners, or any two or more of them, are hereby authorized to imprison the person (except a Peer or Peers of this Realm) and him and them in Prison to detain and keep, until the money so assessed and the charges for the bringing in the same be paid and satisfied, and no longer.

And the several and respective Tenants or Tenant of all Houses and Lands, which shall be rated by virtue of this Act, are hereby required and authorized to pay such Sum or Sums of Money as shall be rated upon such House or Lands; and to deduct out of the Rent so much of the said Rates, as in respect of the said Rents of every such House and Lands the Landlord should or ought to pay and bear. And the said Landlords both mediate and immediate, according to their respective Interests, are hereby required to allow such Deductions and Payments upon the Receipt of the residue of the Rents.

And it is Enacted and Declared, That every Tenant paying the said Assessment, shall be acquitted and discharged for so much Money as the said Assessment shall amount unto, as if the same had been actually paid unto such person or persons unto whom his Rents should have been due and payable.

And if any difference shall arise between Landlord and Tenant, or any other concerning the said Rates, the said several Commissioners, or any two or more of them in their several Divisions, shall and have hereby power to settle the same, as they shall think fit.

And if any person or persons shall finde him or themselves aggrieved in that the Assessors have over-rated him or them, and shall within six days after Demand made of the sum of Money assessed on him or them, complain to two or more Commissioners, whereof one of the Commissioners who signed or allowed his or their Assessment to be one; The said Commissioners or any two or more of them, shall have, and have hereby power within Twelve days after the demand of the Assessment as aforesaid, to relieve such person or persons, and to charge the same on such other person or persons, as they shall see cause. And in case the proportions set by this Act upon all and every the respective Counties, Cities, Towns, and Places, shall not be fully assessed, levied, and paid, according to the true meaning thereof; or that if any of the said Assessments shall be rated and imposed upon any person not being of ability to pay the same, or upon any empty or void House or Land, where the same cannot be collected or levied; or that through any wilfulness, negligence, or mistake, or accident, the said Assessment charged upon each County, City, Town, or Place, by virtue of this Act, happens not to be paid to the Receiver-General of the respective Counties, as in this Act is directed, that then in all and every such cases the several and respective Commissioners, Assessors and Collectors aforesaid, and every of them respectively, are hereby authorized and required to assess or re-assess, or cause to be assessed or reassessed, levied, and paid, all and every such sum or sums of money upon the respective Counties, Cities, Towns, and Places, or upon any of the Divisions, Hundreds, and Parishes therein, as to the said Commissioners, or such number of them, as by this Act are authorized to cause the first Assessment hereby required to be made, shall seem most agreeable to equity and justice; the said new Assessment to be made, collected, and paid, in such manner, and by such means, as in this Act for this Assessment is declared and directed.

And be it further Enacted and Declared by the Authority aforesaid, That if any person or persons shall wilfully neglect or refuse to perform his or their duty in the due and speedy execution of this present Act, the said respective Commissioners, or any Three or more of them, have hereby power to impose on such person or persons so refusing or neglecting their duties, such Fine or Fines as to them shall be thought fit, and to cause the same to be levied by Distress

**Distress and Sale of his and their Goods.** Provided, that no Fine to be imposed by any of the said Commissioners shall for any one Offence exceed the sum of Twenty pounds: And that all Fines that shall be imposed by vertue of this Act, shall be paid to the respective Receivers General, and by them to the Receipt of His Majesty's Exchequer.

And it is further Enacted and Declared, That if any Collector or Sub-Collector that shall by vertue of this Act be appointed for the Receipt of any sum or sums of Money thereby to be Assessed, shall neglect or refuse to pay any sum or sums of Money which shall by him be received as aforesaid, and not pay the same, as in and by this Act is directed, and shall detain in his or their hands any money received by them or any of them, and not pay the same, as by this Act is directed: the Commissioners of each County, City, or Town respectively, or any Two or more of them in their respective Divisions are hereby Authorized and Impowered to Imprison the person, and seize and secure the Estate both real and personal of such Collector or Sub-collector to their respectively belonging, or which shall descend or come into the hands or possession of their Heirs, Executors or Administrators, where ever the same can be discovered and found: And the said Commissioners who shall so seize and secure the Estate of any Collector or Sub-collector, shall be and are hereby impowered to appoint a time for the General Meeting of the Commissioners of such County, City, or Town, and there to cause publick notice to be given at the place where such Meeting shall be appointed, ten days at least before such General Meeting: And the Commissioners present at such General Meeting, or the major part of them, in case the Monies detained by Collectors or Sub-collectors be not paid or satisfied as it ought to be according to the Directions of this Act, shall and are hereby impowered and required to sell and dispose of all such Estates, which shall be for the cause aforesaid seized and secured, or any part of them, and satisfy and pay such County and place the Sum that shall be so detained in the hands of such Collector or Sub-collector, and return the Overplus, deducting necessary charges to such Collector or Sub-collector, their Heirs, Executors, and Administrators respectively.

Penalty of Collectors not paying.

And it is hereby further Enacted and Declared, That at the expiration of the respective times in this Act prescribed for the full payment of the said quarterly Assessments, the several and respective Commissioners, or any Two of them within their Division and Hundred, shall and are hereby required to call before them the chief Collectors and Sub-collectors within each respective Division and Hundred, to examine and assure themselves of the full and whole payment of the particular Sum and Sums of Money charged upon the said Division, Hundred, and every Parish and place therein, and of the due Return of the same into the hands of the Receiver-general of the said County, City, Town and place respectively: And by such Receiver-general to the Receipt of His Majesty's Exchequer, to the end there may be no failure in the payment of any part of the Assessment by vertue of this Act to be assessed and paid, nor any Arrears remain chargeable upon any the said Counties, Cities, Towns, or places respectively: And in case of any failure in the Premises, the said Commissioners, or any Two of them, are hereby to cause the same to be forthwith levied and paid according to the true intent and meaning of this Act.

Accounts by the Collectors.

And it is hereby Enacted and Declared, That in case any Controvertie arise concerning the said Assessments, or the dividing, apportioning, or payment thereof, which concern any of the Commissioners by this Act appointed, that the Commissioners so concerned in the said Controvertie shall have no Voice, but shall withdraw at the time of the Debate of any such Controvertie until it be determined by the rest of the Commissioners.

Commissioners not to vote in their own case.

And be it hereby Enacted and Declared, That no Priviledge-place or Person, Body Politick or Corporate, within the Counties, Cities, and Towns aforesaid, shall be exempted from the said Assessments and Taxes: and that they and every of them, and also all His Majesty's Farm Rents, and all other manner

What Rents shall be liable to this Tax.

of



of Rents, Payments, Sums of Monies, and Annuities issuing out of any Lands within City or County, shall be liable towards the payment of every Sum by this Act to be taxed and levied: And all the Tenants of every Fee-farm Rent, other Rent, sums of Money or Annuities aforesaid, are hereby directed and authorized to pay them proportionably, according to the Rates and Assessments by this Act appointed and directed: And all such Tenants shall be hereby saved and kept harmless by authority of this Act from any further payment of such portion of any such Rent, Rents, Sums, or Annuities, either to the Exchequer, or to any other person or persons, to whom any such Rent, Rents, sums of Money or Annuities as aforesaid, should or ought to be paid, to all intents and purposes whatsoever, as fully and as amply as if they had paid the same into the Exchequer, or to any person or persons to whom the same is reserved or become due.

Universities  
excepted.

Provided, That nothing contained in this Act shall be extended to charge any Colledge or Hall in either of the Universities, or the Colledges of Windsor, Eaton, Winton, or Westminster, or any Hospitals, for or in respect of the Stutes of the said Colledges or Halls, or Hospitals, nor any Master, Fellow, or Scholar of any such Colledge or Hall, or in any other Free-Schools, or any Reader, Officer, or Minister of the said Universities, Colledges, or Schools, or of any Hospitals, or Alms-houses, for or in respect of any stipend, wages, or profit whatsoever, arising or growing due to them in respect of the said several Places and Imployments in the said Universities, Colledges, Schools, Hospitals, or Alms-houses; nor to charge any of the Houses or Lands belonging to Christs Hospital, Saint Bartholomews, Bridewell, Saint Thomas, and Bethlem Hospital in the City of London and Burrough of Southwark, or any of them, for or in respect of any Rents or Revenues payable to the said Hospitals, being to be received and disbursed for the immediate use and relief of the poor in the said Hospitals.

Their Tenants  
must pay.

Provided, That no Tenants that hold or enjoy any Lands or Houses by Lease, or any other grant from any of the said Hospitals, do claim and enjoy any freedom, exemption, or advantage by this Act, but that all the Houses and Lands which they so hold shall be rated and assessed for so much as they are yearly worth over and above the Rents reserved and payable to the said Hospitals.

Goods taxed  
where the  
Owner lives.

Provided also, That where any person inhabiting within the City of London hath his Dwelling-house in one of the Parishes or Wards therein, and hath any Goods, Wares, or Merchandize in one or more of the other Parishes or Wards within the same, that then such person shall be charged, taxed, and assessed for such his Goods or Merchandize in the Parish or Ward where he dwelleth, and not elsewhere in the said City.

The whole sum  
must be levied.

Provided nevertheless, That no Clause or Proviso in this Act shall extend to the lessening or abatement of the full sum by this Act appointed to be taxed, levied, and paid, but that the same be fully assessed, taxed, levied, collected, and paid in the several and respective Counties, Cities, and Towns aforesaid, in such manner and form, and to such uses as is herein before mentioned and declared. And that the several and respective Commissioners and every of them shall from time to time give a true and perfect account of all their doings and proceedings in the execution of this Act to the said Lord Treasurer, or to other such persons as His Majesty shall appoint.

Directions for  
Assessors.

Provided always, and be it hereby Enacted and Declared, That in case the way or manner of assessing by a Pound-rate shall prove any way prejudicial or obstructive to the said speedy bringing in of the Assessment, or any part thereof appointed by this Act, that then and in all such cases the respective Commissioners, or any two of them, are hereby authorized to order and direct their respective Assessors, who are hereby required to proceed accordingly, to assess the respective sums charged on the respective Counties, Cities, and Burroughs, Towns, and places mentioned in this Act, according to the most just and

and usual way of Rates held and practised in such Counties, Cities, Burroughs, Towns and places respectively, Any thing in this Act to the contrary thereof contained in any wise notwithstanding.

Provided always, That nothing in this Act contained shall be construed, to alter, change, determine, or make void any Contracts, Covenants, or Agreements whatsoever between the Landlord and Tenant touching the payment of Taxes or Assessments, any thing herein before mentioned to the contrary notwithstanding.

Covenants between Landlord and Tenant.

Provided always, and be it further Enacted and Declared by the Authority aforesaid, That for the avoiding of all obstructions and delays in collecting the sums by this Act to be rated and assessed, all Places, Constablewicks, Divisions and Allotments which have used to be rated and assessed, shall pay and be assessed in such County, Hundred, Rape, and Wapentake, as the same hath heretofore usually been assessed in, and not elsewhere.

And be it further Enacted by the Authority aforesaid, That if any Action, Complaint, Suit, or Information shall be commenced or prosecuted against any person or persons, for what he or they shall do in pursuance or in execution of this Act, such person or persons so sued in any Court whatsoever shall or may plead the General Issue Not guilty: And upon any Issue joined may give this Act and the special matter in Evidence; And if the Plaintiff or Prosecutor shall become Non-suit or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the Defendants shall recover their Treble Costs, for which they shall have the like Remedy, as in any case where Costs by the Law are given to Defendants.

Officers sued, may plead the General Issue.

And recover 3 treble costs.

Provided always, That nothing in this Act shall extend or be construed to invalidate a Decree lately made in the High Court of Chancery for the quieting of Suits between the Counties of Salop and Stafford; and for the settling all future Payments to be imposed on certain Lands in Sheriff-Hales with the County of Salop; And for exempting the said Lands from paying hereafter with the County of Stafford: But that the said Decree shall remain in such (and no other) force as it did before the making of this Act, any thing herein to the contrary notwithstanding.

Sheriff-Hales.

Provided always, and be it Enacted by the Authority aforesaid, That all Spiritual Promotions, and all Lands, Possessions or Revenues annexed to, and all Goods and Chattels growing or renewed upon the same, or elsewhere appertaining to the Owners of the said Spiritual Promotions, or any of them, which are or shall be charged or made contributory by this Act towards the Payments aforesaid during the time therein appointed, shall be absolutely freed and discharged from the two last of the four Subsidies granted by the Clergy to his Majesty, his Heirs and Successors, by an Act made in a former Session of this present Parliament, Entituled, An Act for confirming of four Subsidies granted by the Clergy, Any clause or thing in the said Act to the contrary notwithstanding.

Spiritual Revenues chargeable by this Act.

Provided always, and be it Enacted by the Authority aforesaid, That the several Head-Collectors which shall be appointed according to this Act, shall from time to time at every Payment appointed thereby, give unto the several Sub-Collectors within their respective Precincts, upon the Payment of the whole Sum due at such times of Payment from their respective Parishes, Constablewicks, or places within each of their Collections, several Acquittances under their Hands, without taking any thing for the same. And that in like manner at every time of payment appointed by this Act, the Receiver-General of each County shall give unto the several Head-Collectors aforesaid, upon the payment of the whole Sum due for their Hundred or Division respectively at each time of payment aforesaid, several Acquittances under their Hands and Seals without taking any thing for the same; which said Acquittances of the Head-Collectors shall be a

Acquittances to the Collector.



full and perfect Discharge to the Sub-Collectors; And the said Acquittances of the Receiver-General shall be a sufficient Discharge to the Head-Collectors, and to such Hundred, Division, Constablewick, Parish or place respectively, and to every person charged within the said Sub-Collectors or Head-Collectors Charge, against His Majesty, His Heirs and Successors, for the sum or sums of money so acquitted.

Remedy against  
Land void of  
any Distress.

Provided always, and be it further Enacted, That in case any Lands or Houses in any Parish, Place, or Constablewick shall lie unoccupied, and no distresses can be found on the same, by reason whereof the said Parish, Place, or Constablewick are forced to pay and make good the Tax assessed upon such Lands lying unoccupied, That then it shall and may be lawful at any time after for the Collectors, Constable, or Tything-man of the said Parish, Place, or Constablewick for the time being, to enter and distrain upon the said Lands and Houses when there shall be any Distress thereupon to be found. And the Distress and Distresses being the proper Goods of the Owner, or any claiming any Estate, Interest or Profit under him, if not redeemed within four days by payment of the Tax and Charge of the Distress, to sell, rendering the Overplus to the Owner or Owners of such Distress. And the said Collector, Constable, or Tythingman is hereby enjoined to distribute the money raised by the said Distress or Sale thereof proportionably to the parties who contributed to the Tax of the said unoccupied Lands.

Woods.

Provided always, and be it Enacted, that where any Wood-lands shall be assessed, and no Distress can be had, that in such case it shall and may be lawful to and for any Sub-Collector, Constable, Head-borough, or Tythingman, by Warrant under the Hands and Seals of two or more of the Commissioners in that Hundred or Division, at seasonable time of the year, to cut and sell to any person or persons so much of the Wood growing on the said Wood-lands so assessed, as will pay the Assessment or Assessments so behind and unpaid, and the Charge incident thereto: And that it shall and may be lawful for the person and persons, and his Assigns, to whom such Wood shall be so sold, to sell, cut down, dispose and carry away the same to his own use, rendering the Overplus, if any be, to the Owner: Any Law to the contrary notwithstanding.

Tythes, Toll,  
Fairs.

Provided always, and be it further Enacted, That where any Tax or Assessment shall be charged or laid upon any Tythes, Tolls, Profits of Markets, Fairs or Fishery, or other Annual Profits not distrainable, in case the same shall not be paid within fifteen days after such Assessment so charged or laid and demanded, then it shall be lawful to and for the Sub-Collector, Constable, or other Officer thereunto appointed, by Warrant under the Hands and Seals of any two or more of the Commissioners authorized by this Act, to seize, take and sell so much of the said Tythes, Tolls, and other Profits so charged, as shall be sufficient for the levying of the said Tax and Assessment, and all Charges occasioned by such Non-payment thereof, rendering the Overplus to the Owner, if any be.

Middlesex and  
Westminster.

And whereas the County of Middlesex and City of Westminster are raised in the Monthly Assessment, by reason of the new buildings lately erected: And that Offices are made chargeable towards the payment of such Assessment: To the end that an equal rate may be made and imposed upon the several Divisions, Parishes and Hamlets within the said County and City, Be it Enacted by this present Parliament, and by the Authority thereof, That the said Commissioners appointed for the said County and City of Westminster, or any Three of them, shall, if they shall think it fit, cause two or three of the honest and able Inhabitants in the several and respective Parishes, Town-ships and Places within the said County and City to be named and appointed Assessors, who (or any two of them) are to ascertain and rate the yearly value and profits of all Offices belonging

belonging to the Courts of Westminster, and other Offices chargeable by this Act, towards the payment of the said sum set upon the said County and City, And all Townships, Parishes and Places, for which they be appointed Assessors; and to return the same to the said Commissioners, or to such person or persons as shall be appointed to receive the same: which said Assessors are to deliver in their several Surveys perfected and subscribed by them, unto the said Commissioners, or to such person or persons as shall be appointed by them, or any three of them, to receive the same, two or three days at the least before the second General Meeting of the said Commissioners; to the end that the said Commissioners may deliver in all the several Surveys to be made throughout the said County, at the said second General Meeting: At which said General Meeting the said Commissioners, or the major part of them then present, shall upon view and perusal of the said several Surveys, cast up the true revenue and yearly profits of the whole County, City and Offices aforesaid, to the end that an equal Pound-rate may be apportioned upon every Office chargeable by this Act, Division, Hundred, Township and Parish, according to the proportion and summe of money charged upon the said County and City by virtue of this present Act, which the said Commissioners, or the major part of them then and there assembled, are by virtue of this Act authorized and appointed to proportion and make accordingly.

Provided always, That nothing herein contained shall be drawn into example, to the prejudice of the Ancient Rights belonging unto the Lords Spiritual and Temporal, or Clergy of this Realm, or unto either of the Universities, or unto any Colledges, Schools, Alms-houses, Hospitals or Cinque-Ports.

## CAP. II.

An Act for Regulating the Measures and Prices of Coals.

FOR avoiding the manifold deceits, exactions and abuses used in the Measures and Sales of Coals, and for preventing the like, and the better regulation thereof for the time to come, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That from and after the Sixth day of March, in the year of our Lord One thousand six hundred sixty four, all sorts of Coal, commonly called Sea-Coals, brought into the River of Thames, and sold, shall be sold by the Chaldron, containing Thirty six Bushels heap'd up, and according to the Bushel Seal'd for that purpose at Guildhall in London, and so for a greater or lesser quantity; And that all other sorts of Coals coming from Scotland and other places, commonly sold by Weight and not by Measure, shall be sold by Weight after the proportion of a hundred and twelve pound to the hundred, of Avoirdupois weight, without any fallacy or deceit, upon pain of forfeiture of all the Coals which shall be otherwise sold or exposed to sale by any Woodmonger or Retailer of Coals, and the double value thereof to be recovered by any person or persons that will prosecute for the same in any Court of Record, or by way of complaint made unto the Lord Mayor of London for the time being, and Justices of Peace within the City of London and Liberties thereof, or to any two of them, or to the Justices of Peace of the several and respective Counties and Places where such Coals shall be exposed to sale, or any of them; who are hereby Impowered and Required to call the Parties before them, and to hear and examine such Complaint upon Oath, which by virtue of this Act is to be administered by them, or any Two of them; and upon due proof thereof made to their satisfaction, to Condemn the Offenders, and to give Warrant under their Hands and Seals for levying the Forfeitures accordingly, the

The measure of  
a Chaldron.

Weight of  
Scotch Coals.

Penalty.



Who shall set  
the prices of  
Coals.

Penalty to re-  
fuse to sell at  
those rates.

To continue.

No Offender  
punished by an-  
ny other Act.

Officers may  
plead the Ge-  
neral Issue.

Double Costs.

No Coal-seller  
to set prices.

one half thereof to be to and for the use of the person or persons so prosecuting or complaining, and the other half to and for the use of the Poor, or repairing of the High-ways within the same Parish, or any other adjoining Parish or Parishes, to be appointed and apportioned by the direction of the said Lord Mayor and Justices, by such their Warrant as aforesaid. And the said Lord Mayor of London, and the Court of Aldermen for the time being, and the Justices of Peace of the several Counties respectively, or any three or more of them, whereof one to be of the Quorum, are hereby impowered to set the Rates and Prices of all such Coals as shall be sold by Retail, as they from time to time shall judge reasonable, allowing a competent profit to the said Retailer, beyond the price paid by him to the Importer, and the ordinary charges thereupon accruing.

And that if any Ingrosser or Retailer of such Coals shall refuse to sell as aforesaid, That then the said Lord Mayor and Aldermen, and Justices of Peace respectively, are hereby authorized to appoint and impower such Officer or Officers, or other persons as they shall think fit, to enter into any Wharf, or other place where such Coals are stored up; And in case of refusal, taking a Constable, to force entrance, and the said Coals to sell, or cause to be sold at such Rates as the said Lord Mayor and Aldermen, and Justices respectively shall judge reasonable, rendering to such Ingrosser or Retailer the money for which the said Coals shall be so sold, necessary charges being deducted.

Provided, That this Act shall continue for three years next ensuing, and thenceforth to the end of the next Session of Parliament, and no longer.

Provided also, That no person or persons that shall be sued by virtue of this Act for not observing thereof, shall be sued upon any other Act or Law now in force for the same offence: And if any Action shall be commenced against any Justice of Peace, Constable, or other Officer or person for any thing done by colour of this Act, the Defendant in every such Action, may plead the General Issue, and give the special matter in Evidence: And if the Verdict be found for him, or the Plaintiff become Non-suited, shall recover and have his Damages and double Costs of suit for his unjust vexation in that behalf.

Provided always, That no person having any Interest in any Wharf used for the receiving or uttering of Coals, or that doth, or shall Trade by himself, or others, in his own, or any other name, in the sale of any Coals, or the Engrossing the same, in order to sell the same, and not for his own private use only, shall at, or otherwise intermeddle in the setting the Price of Coals: Any thing in this Act to the contrary in any wise notwithstanding.

### C A P. III.

An Act for the Returning of able and sufficient Jurors.

Preamble.

**F**or the returning of more able and sufficient Jurors for Trials hereafter to be had between party and party, and for reformation of abuses in Sheriffs and other Ministers, who for reward do oftentimes spare the ablest and sufficientest, and return the poorer and simpler free-holders, less able to discern the Causes in question, and to bear the charges of appearance and attendance thereon.

Be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all Jurors (other then Strangers, upon Ojals per medietatem linguæ) who are to be returned for the Ojals of Issues, joynd in any of the Kings Majesties Courts of Kings Bench, Common Pleas, or the

Jurors to be  
worth 20 li. per  
annum.

the Exchequer, or before Justices of Assize, or Nisi Prius, Oyer and Terminer, Gaole-Deliberer, or General or Quarter-Sessions of the Peace, from and after the Twentieth day of April, which shall be in the year of our Lord One thousand six hundred sixty five, in any County of this Realm of England, shall every of them then have in their own name, or in trust for them within the same County, Twenty pounds by the year at least, above reprises in their own, or their wives right, of Freehold Lands, or of ancient Demesne, or of Rents in Fee, Fee-tail, or for Life. And that in every County within the Dominion of Wales, every such Juror shall then have within the same eight pounds by the year, at the least, above reprises in manner aforesaid. All which persons, having such Estate as aforesaid, are hereby enabled and made liable to be returned, and to serve as Jurors for the Tryal of Issues before the Justices aforesaid, Any Law or Statute to the contrary in any wise notwithstanding. And if any of a lesser Estate and value shall be respectively returned upon any such Jury, or Tales in default of such Jurors, it shall be a good cause of Challenge, and the party returned shall be discharged upon the said Challenge, or his own Allegation and Oath thereof. And that no Jurymans Issues making Default shall be saved but by special Order of the Judge or Judges before whom the Issue is to be tryed, for some just and reasonable Cause proved upon Oath before the same Judge or Judges. And all such Issues shall be duly estreated and levied: And that the Writ of Venire facias which from and after the aforesaid time shall be awarded and directed for the Impannelling of Juries in Cases aforesaid within any County of England, shall be in this Form: Rex, &c. Precipimus, &c. quod venire fac. coram, &c. duodecim liberos & legales homines de vicineto de A. Quorum quilibet habeat viginti libras terræ tenementorum vel reddit. per annum ad minus, per quos, &c. & qui nec, &c. And the residue of the said Writ shall be after the ancient manner. And that those Writs which shall be awarded and directed for Returning of Juries within the Dominion of Wales shall be made in the same manner, altering onely the word Viginti into Octo. And that upon every such Writ and Writs of Venire facias; the Sheriff, Coroner, or other Ministers of each respective County in England and Wales unto whom the making of the Pannel shall appertain, shall not return in any such Pannel any person, unless he shall then have Twenty pounds, or Eight pounds respectively by the year at least, as aforesaid, in the same County where the Issue is to be tryed, upon pain to forfeit for every person being returned in any such Pannel, that shall not then have Twenty pounds, or Eight pounds respectively, as is aforesaid, the sum of five pounds to His Majesty, His Heirs and Successors.

Jurors in  
Wales.

Challenge.

The form of  
the Venire fa-  
cias.

Sheriffs Pen-  
alty for returning  
Jurors of less  
value.

And for the better enabling the Sheriff of every County to know the value of the Estates of such persons as are by the true intent and meaning of this Act to be returned for Jurymen; Be it further Enacted, That every Sheriff shall on the First day of every General Quarter-Sessions yearly held next after the Feast of Easter, deliver, or cause to be delivered unto the Justices of Peace sitting at the same Sessions the Names of all persons of such Estates as are by the true meaning of this Act to be returned for Jurymen, to the end the Estates of such persons may be enquired after, and such persons approved of by the said Justices of Peace, or the greater number of them then present, to be persons of such Estates to be returnable for Jurymen for the year then next ensuing. And the said Justices shall have power to add such persons having Estates of the respective values before mentioned, as they shall find to be omitted by the Sheriff among the Names by him delivered; and such competent number, and no more of such persons as aforesaid shall be returnable to serve of Juries for the year next ensuing, as the said Justices or the greater number of them as aforesaid

Sheriffs to give  
to the Sessions  
a Book of Ju-  
rors.



asforesaid shall think fit. And that no Sheriff shall incur the penalty asforesaid for returning any of the persons so approb'd or added by the Justices, in case his Estate fall out to be of less value then asforesaid.

Jurors to be  
summoned six  
days before they  
are to appear.

And it is further Enacted, That no Sheriff or Bailiff of any Liberty or Franchise, or any, or either of their Ministers shall return any such person or persons as asforesaid, to have been summoned by them or any of them, unless such person or persons shall have been duly summoned by the space of six days at the least before the day on which they ought to make their appearance; And have left with or for such persons in writing the Names of all the Parties in those Causes wherein they are to serve as Jurors; nor shall directly or indirectly take any money or other reward to excuse the appearance of any Juror by them or any of them to be summoned or returned, upon pain to forfeit for every such Offence the sum of Ten pounds: saving to all Cities and Towns Corporate their ancient Usage of returning Jurors of such Estate and in such manner as heretofore hath been used and accustomed.

Distringas  
fur. in Lan-  
caster.

And be it further Enacted by the Authority asforesaid, That from henceforth upon Writs of Venire facias issued out and returned within the County Palatine of Lancaster, as of the same Assizes wherein the Issues are said to be joyned, Writs of Habeas Corpora or Distringas shall be sued out, like as is used in all other Counties within this Kingdom, returnable at the then next Assizes. And the Sheriff thereupon to return such Issues as is or ought to be done by the said Sheriffs of the said other Counties, and those Issues to be duly executed as above is provided.

Lancaster Ju-  
ry-men how  
compell'd to  
appear.

And the better to cause and bring Jurors to appear upon Trials at Assizes within the said County Palatine of Lancaster, Be it further Enacted by the Authority asforesaid, That the Sheriff of the same County Palatine of Lancaster for the time being shall from henceforth cause twelve good and lawful men so qualified, as before in this Act is appointed, out of every of the six Hundreds within the said County Palatine, to be duly summoned or warned ten days at the least before the beginning of every Assizes, to be and appear the first day of the then next Assizes, and there to attend during the same Assizes, to perform their duty and service to the Court as Jurors or Jury-men in such Causes between Party and Party, wherein they shall be respectively returned and impannelled, upon pain that every of them that shall make default to appear and attend at, and during the said Assizes, to forfeit Ten pounds to the use and behoof of the Poor of the Town where such person or persons so making default doth inhabit and live; the same to be levied, recovered and had, in such manner and ways as other Issues of Jurors use to be levied.

Provided, That this Act shall continue and stand in force for the space of Three years, and from thence to the end of the next Session of Parliament, and no longer.

#### C A P. IV.

An Additional Act for the better Ordering and Collecting the Duty of  
E X C I S E.

Farmers have  
equal power as  
the former  
Commissioners  
had, except  
&c.

**F**or the better Ordering and Collecting the Duty of Excise, Be it Enacted and Declared by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from and after the eighth day of November, which shall be in the year of our Lord One thousand six hundred sixty and five, all Farmers of Excise, or any of them, within the several Circuits and Divisions

Divisions of their respective Farms, shall and are enabled hereby to exercise and put in Execution all such Powers and Authorities which the Commissioners or Sub-Commissioners of Excise are enabled to do and execute by the several Acts and Statutes of Excise, for the levying, raising, receiving and managing of the said Revenue of Excise; Except the Judicial part of hearing and determining all breaches and offences against the Laws of Excise, and of imposing, mitigating, or compounding of Fines or Penalties.

## C A P. V.

An Act to prevent Delays in extending Statutes, Judgements, and Recognizances.

**W**hereas the Security by Statute-Merchant and of the Staple is now become of little use and benefit by the fraud of the Conizers thereof in sundry Cases, who to prevent the payment of their Debts, secretly assign small parts of their Lands to several and unknown persons: And it having been used, that if the Creditor take Execution on such Statute; yet if the Lands of any one or more person or persons, to whom such Alienation was made and liable to such Execution, be omitted out of such Extent; the same Execution hath been avoided by Audita Querela, and the party extending lost his Costs, and was delayed of his just Debt; and so again upon any new Extent comes quoter. And if any one Acre or Parcel of Land happened to descend to an Infant, the whole Execution was deferred till full age of such Infant; And if afterwards other part of the Lands or Tenements liable to such Debt descended to another Infant, then also a farther delay happened during that Infancy also.

Preamble

Grievance

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by Authority of the same, That when any Judgement, Statute, or Recognizance shall be extended, the same shall not be avoided or delayed by occasion that any part of the Lands or Tenements extendible are or shall be omitted out of such Extent; saving always to the Party and Parties whose Lands shall be extended, his and their Heirs, Executors, and Assigns, his and their remedy for Contribution against such person and persons, whose Lands are or shall be omitted out of such Extent from time to time.

No Execution shall be stayed, though the whole Lands be not extended.

The Defendant left to his remedy for contribution.

Provided always, that this Act, or any thing therein contained, shall not be construed to give any Extent or Contribution against any Heir within the age of one and twenty years, during such Minority of such Heir, for or in respect of any Lands to such Heir descended, farther or otherwise than might have been before the making of this Act.

No contribution on against an heir within age.

Provided that this Act extend onely to such Statutes as are or shall be for payment of Boneyes; And to such Extent as shall be within Twenty years after the Statute, Recognizance or Judgement had and obtained.

To extend onely to Statutes for Debts, which shall be sued within 20 years.

Provided that this Act shall continue for the space of Three years, and from thence to the end of the next Session of Parliament; and no longer.

To continue;

## C A P. VI.

An Act for Repealing of part of an Act of Parliament, intituled, *An Act directing the prosecution of such as are accountable for Prize-goods.*

**V**Whereas by an Act made in this present Parliament, intituled, *An Act directing the prosecution of such as are accountable for Prize-goods;* It is amongst other things Enacted, That all and every Admirals, Vice-Admirals,

24 Car. 2. c. 11.  
14.



Admirals, Captains of Ships, Officers, and Mariners that did surprize, or receive, to, or for the publick use, or by pretence thereof, any Ships, Plate, Jewels, Bullion, Honey, Silber, Gold, Arms, Ammunition, Cloares, Merchandizes, or any manner of Goods whatsoever, seized, or taken for Prize, betwixt the Thirtieth of January One thousand six hundred forty two, and the nine and twentieth of May One thousand six hundred sixty: And that had not at the making of the said Act truly Accompted for and paid in the same, or the just Probenues thereof, should be chargeable to His Majesty for the said premises, and convened and sued for in His Majesties Court of Admiralty, and called to accompt, or otherwise by such Suit, and in such manner as should be most available to His Majesty. And in case of defect of Jurisdiction in the said Court of Admiralty, then upon Certificate thereof from the said Court of Admiralty made into His Majesties Court of Exchequer, speedy proceedings were to be had in the said Court of Exchequer, for the recovering and leyving of the Prizes, Goods, matters and things, as by the said Act, relation being thereunto had, more plainly, fully, and at large appears: Whereupon divers Captains and Officers of His Majesties Fleets, and several others the Commanders, Officers and Mariners, imployed in the Sea-service, have been sued, or may possibly be sued concerning the several Prizes and Prize-goods by them heretofore seized and taken at Sea, or in Ports, since the Month of January One thousand six hundred forty two, and before the Twenty ninth of May One thousand six hundred sixty, contrary to the grace and labour extended towards them, not onely in and by His Majesties most gracious Act of Free and General Pardon, Indempnity and Oblivion; but also by a Proclamation since made by His Majesty bearing date the Fourteenth day of July One thousand six hundred sixty two, in the Fourteenth year of His Majesties Reign, Declaring His Majesties grace and labour towards all Commanders and Sea-men, in relation to Prizes and Prize-goods, seized and taken, since the Month of January One thousand six hundred forty two, until the nine and twentieth day of May, One thousand six hundred sixty: His Majesty thereupon willing, that His Grace and Labour towards all Admirals, Vice-Admirals, Commanders, Sea-men and Mariners should take its full effect, And being fully satisfied of their dutiful affections unto His Majesties Royal Person and Government; and for their future encouragement to persevere loyally in His Majesties Service, is most graciously pleased that it may be Enacted,

The former  
Act made void  
as to Admirals,  
&c. Mariners  
and Seamen.

All Process a-  
gainst them to  
cease.

And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act, intituled, An Act for directing the prosecution of such as are accomptable for Prize-Goods, and all and every Branches, Clauses, Powers, and Articles, and every matter and thing therein contained, for so much onely, and as for and concerning all and every Admirals, Vice-Admirals, Captains of Ships, Officers of Ships, or Vessels, Sea-men and Mariners, and every of them, shall be and is hereby from henceforth repealed, annulled, and made void, and of no effect, to all intents and purposes whatsoever: And that all and singular Process and proceedings whatsoever, which before this time have been, now are, or may be at any time hereafter had, sued forth, and prosecuted in any of His Majesties Courts at Westminster, or in the High Court of Admiralty of England, or elsewhere, within any of His Majesties Dominions, against any Admirals, Vice-Admirals, Captains of Ships, Officers of Ships, or Vessels, Sea-men and Mariners, or any of them by force and vertue of the said Act, or any Article or Clause therein contained, be forthwith and for ever hereafter superseded, surceased, stayed and discharged; And that none of the said Admirals, Vice-Admirals, Captains, or  
Officers

Officers of Ships or Vessels, Seamen or Mariners, shall from henceforth by vertue, force, or colour of any Process or proceedings whatsoever in any of His Majesties said Courts, or elsewhere, be in any wise Arrested, disquieted, questioned or troubled, either in their Persons, Lands, or Goods, for or by reason of the said Act, or any thing therein contained; But that all and every the said Admirals, Vice-Admirals, Captains, and Officers of Ships or Vessels, and all Seamen and Mariners, and every of them, shall by vertue of this Act stand, and be for ever discharged and acquitted in all Courts and places, and of and from all Suits and Proceedings whatsoever sued, or begun, or to be sued or begun against them, or any of them, for any manner of Prizes, Ships, or Goods whatsoever, by them or any of them seized, surprized, or any ways taken, betwixt the said Thirtieth of January One thousand six hundred forty two, and the Nine and twentieth of May, One thousand six hundred sixty; and of and from all Accompts, Troubles, Articles, and Suits whatsoever concerning the same: And that this Act shall be taken and expounded in the most large and beneficial manner for the said Admirals, Vice-Admirals, Commanders, Captains, and Officers of Ships and Vessels, and Seamen and Mariners, and every of them, and for their best advantage for the final, free, and absolute acquitting and discharging of them, and every of them, of, and from all the said Prizes, and every part thereof, and all Ships and Vessels and Goods whatsoever, or of what nature or kind soever, by them, or any of them seized, surprized, or in any sort taken, betwixt the said Thirtieth of January, One thousand six hundred forty two, and the said Nine and twentieth of May, One thousand six hundred sixty.

Provided always, And be it Enacted, That this Act, or any thing therein contained, shall not extend or be construed to extend to discharge any other persons whatsoever, but onely the said Admirals, Vice-Admirals; Commanders, Captains of Ships and Officers of Ships or Vessels, and Seamen and Mariners; but that all and every Collectors and Treasurers, Sub-Collectors and Under-Treasurers of Prize-Goods, Commissioners, and Sub-Commissioners of Prize-Goods, and all and every their Cashiers, Deputies, Officers and Receivers, other then such person or persons who are discharged by the Act of Free and General Pardon, Indemnity and Oblivion, that have not yet truly accompted, or paid in the Probvenues of the Prizes, or Boneyes arising thereout, seized, or taken betwixt the said Thirtieth of January, One thousand six hundred forty two, and the said Nine and twentieth of May, One thousand six hundred sixty, and all and every other person and persons, by whom, or to whom, or to, or for whole use any Prizes or Prize-Ships, Plate, Jewels, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatsoever, seized, or taken for Prize, betwixt the said Thirtieth of January, One thousand six hundred forty two, and the said Nine and twentieth of May, One thousand six hundred sixty, were disposed or sold, or to whose hands they came, and who had and enjoyed the same, or any part thereof, and are still behinde, and have not paid in the Boneyes contracted for, and arising, or due upon such Sales or Dispositions, or any of them; and all Secutities by them and every of them given for, or touching the premises, or any thing concerning the said Prizes, or any of them, shall be chargeable to Your Majesty for the said premises, and all the Dependences thereof respectively, in the said Court of Admiralty or Exchequer, and shall be proceeded upon in the said Court of Admiralty or Exchequer in Your Majesties name, and to and for Your Majesties use according to the said Act, directing the prosecution of such as are accomptable for Prize-Goods, and as fully and entirely, as if this Act had never been: Any thing in this present Act notwithstanding.

No others discharged.



## CAP. VII.

An Act for continuance of a former Act for Regulating the Press.

Cap. 33.

**B**E it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, That an Act made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act for preventing Abuses in Printing Seditious, Treasonable and Unlicensed Books and Pamphlets, and for Regulating of Printing and Printing-Presses, shall be continued, and remain in force until the end of the next Session of Parliament.

## CAP. VIII.

An Act to prevent Arrests of Judgment, and superseding Executions.

Preamble.

Certain Errors  
after Verdict  
helped.

Chester, Lan-  
caster, Durham.

Form.

Pledges.

Return of  
Writs.

Shewing Deeds.

Vi & Armis &  
Contra pacem.

Parties Names.

Days of the  
Month mis-  
taken.

Errors in Judg-  
ments by Con-  
fession.

**V**hereas great delay, trouble, and vexation hath ben, and still is occasioned to the People of this Realm, as well by Arresting and Reversing of Judgments, as by staying Executions by Writs of Error and Superedeas: For remedy thereof, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any Verdict of Twelve Men shall be given in any Action, Suit, Bill, or Demand, to be commenced from and after the fifth and twentieth day of March, which shall be in the year of our Lord One thousand six hundred sixty and five, in any of His Majesties Courts of Record at Westminster, or in the Courts of Record in the Counties-Palatine of Chester, Lancaster, or Durham, or in His Majesties Courts of the Great Sessions in any of the Twelve Shires of Wales, Judgment thereupon shall not be staied or reversed, for default in Form, or lack of Form, or by reason that there are not Pledges, or but one Pledge to prosecute, returned upon the Original Writ, or because the Name of the Sheriff is not returned upon such Original Writ, or for default of entering Pledges upon any Bill or Declaration, or for default of alledging the bringing into Court of any Bond, Bill, Indenture, or other Debt whatsoever, mentioned in the Declaration or other Pleading, or for default of Allegation of the bringing into Court of Letters Testamentary, or Letters of Administration, or by reason of the omission of Vi & Armis, or Contra Pacem, or for or by reason of the mistaking of the Christian Name or Surname of the Plaintiff or Defendant, Demandant or Tenant, Sum or Sums of Money, Day, Month or Year, by the Clerk in any Bill, Declaration, or Pleading, where the right Name, Surname, Sum, Day, Month, or Year, in any Writ, Plaint, Roll, or Record preceding, or in the same Roll or Record where the Mistake is committed, is or are once truly and rightly alledged, whereunto the Plaintiff might have demurred and shewn the same for Cause: nor for want of the Aberment of Hoc paratus est verificare, or Hoc paratus est verificare per Recordum, or for not alledging Prout patet per Recordum, or for that there is no right Venue, so as the Cause were tried by a Jury of the proper County or place where the Action is laid: Nor any Judgment after Verdict, Confession by Cognovit Actionem, or Relicta Verificatione shall be reversed for want of Misericordia or Capiatur, or by reason that a Capiatur is entred for a Misericordia, or a Misericordia is entred where a Capiatur ought to have ben entred: Nor for that Ideo concessum est per Curiam is entred for Ideo consideratum est per Curiam: Nor for that the Intrease of Costs after a Verdict in any Action, or upon a Nonsuit in Replevin, are not entred to be at the request of the party for whom the Judgment is given; nor by reason that the Costs in any Judgment whatsoever, are not entred to be by consent of the Plaintiff; but that all such Omissions, Variances, Defects, and all other matters of like nature, not being against the right of the matter of the Suit, nor whereby the Issue or Trial are altered, shall be amended by the Justices

or

or other Judges of the Courts where such Judgments are or shall be given, or whereunto the Record is or shall be removed by Writ of Error.

Prohibited always, and be it further Enacted by the Authority aforesaid, Certain Actions not remedied. That this Act, or any thing therein contained, shall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, nor to any Indictment or Presentment of Felony, Murder, Treason, or other matter, nor to any Process upon any of them, nor to any Writ, Bill, Action, or Information upon any penal Statute, other then concerning Customs and Subsidies of Tonnage and Poundage; Any thing in this Act contained to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the Twentieth day of March in the year of our Lord One thousand six hundred sixty and four, no Execution shall be had in any the aforesaid Courts by Writ of Error or Superedeas thereupon, after Verdict and Judgment thereupon, in any Action personal whatsoever, unless a Recognizance with Condition, according to the Statute made in the Third year of the Reign of our late Sovereign Lord King James, shall be first acknowledged in the Court where such Judgment shall be given. And further, That in Writs of Error In what Actions Execution, shall not stay by Writ of Error without Bail. to be brought any Judgment after Verdict in any Writ of Dower, or in any Action of Ejectione firme, no Execution shall be thereupon or thereby had, unless the Plaintiff or Plaintiffs in such Writ of Error, shall be bound unto the Plaintiff in such Writ of Dower or Action of Ejectione firme in such reasonable Sum as the Court to which such Writ of Error, shall be directed shall think fit, with condition, That if the Judgment shall be affirmed in the said Writ of Error, or that the said Writ of Error be discontinued in default of the Plaintiff or Plaintiffs therein, or that the said Plaintiff or Plaintiffs be nonsuit in such Writs of Error, that then the said Plaintiff or Plaintiffs shall pay such Costs, Damages, and Sum and sums of Money as shall be awarded upon or after such Judgment affirmed, Discontinuance or Nonsuit had. In Dower and Ejectione, the Bail must undertake for the Profits of the Lands.

And to the end, that the same Sum and sums and Damages may be ascertained, It is further Enacted, That the Court wherein such Execution ought to be granted, upon such Affirmation, Discontinuance or Nonsuit, shall issue a Writ to enquire as well of the mean Profits as of the Damages by any Waste committed after the first Judgment in Dower or in Ejectione firme; And upon the Return thereof, Judgment shall be given, and Execution awarded for such Net-Profits and Damages, and also for Costs of Suit. Writ of Inquiry of Damages.

Prohibited, That this Act nor any thing therein contained, shall not extend to any Writ of Error to be brought by any Executor or Administrator, nor unto any Action Popular, nor unto any other Action which is hereafter shall be brought upon any Penal Law or Statute (except Actions of Debt for not setting forth of Cythes) nor to any Indictment, Presentment, Inquisition, Information, or Appeal; Any thing herein before expressed to the contrary thereof in any wise notwithstanding. Certain Actions not remedied.

Prohibited always, That this Act shall continue in force for Three years, To continue. and to the end of the next Session of Parliament after the expiration of the said Three years, and no longer.

## CAP. IX.

An Act to empower the Chancellor of the Dutchy, to grant Commissions for taking Affidavits within the Liberty.

For the greater ease and benefit of the Inhabitants within the County Palatine of Lancaster, and other places within several other Counties of this Kingdom, within the Surbey of the Court of Dutchy-Chamber at Westminster, in the taking of Affidavits in the County to be made use of, and read in Causes depending, and to be depending within the said Court, Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the



the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Chancellor of the said Duchy and County Palatine of Lancaster for the time being, shall and may by one or more Commission or Commissions from time to time, as need shall require, empower what, and as many persons as he shall think fit and necessary within the said County Palatine and other Duchy-Liberties, to take and receive all and every such Affidavit or Affidavits as any person or persons shall be willing and desirous to make before any of the persons so empowered, in or concerning any cause, matter, or thing depending or hereafter to be depending in the said Court of Duchy-Chamber, as Masters of Chancery in Extraordinary do use to do; which said Affidavits shall be filed in the Office of the Clerk of the Court of the Duchy, and then be read and made use of in the said Court to all intents and purposes, as other Affidavits taken in the said Court now are.

Commissioners  
Fec.

Prohibited, That for the taking of every such Affidavit the person or persons so empowered, and taking the same, shall for so doing receive onely the Sum of five of Twelve pence, and no more.

#### CAP. X.

An Act for continuance of a former Act for Repairing the High-ways within the County of Hertford, &c.

15 Car. 2.

**V**Whereas by a late Act of Parliament, Intituled, An Act for Repairing the High-ways within the Counties of Hertford, Cambridge, and Huntington, It was Enacted, That for the Repairing of the ancient High-way and Post-road leading from London to York, and from London into Lincolnshire, there should be a Toll paid at a certain place in every of the said several and respective Counties, and for Hertfordshire at Wades-Mill in the said County: Which said Toll so set is by the said Act to continue the space of eleven years, and no longer, with this Provision, That if the Justices of the Peace at their Quarter Sessions in the respective Counties, shall before the expiration of eleven years, adjudge the said Repairs to be sufficiently done, that from thenceforth it should cease.

And whereas divers Gentlemen within the County of Hertford have heartily set themselves to take care for the repairing of the said ways within their County; And in order thereunto, finding that Money could not be advanced by the Toll in so speedy a manner, as to repair those ruinous ways; And that none would lend their Money on that Security, did upon their own credits, borrow Thirteen hundred pounds on Interest, to effect the work intended by the said Act, which sum accordingly is laid out, together with such Money as hath proceeded from the Toll before mentioned, in the repair of the said High-way, by which means they have so amended the said Road lying in that County, leading from London to York, that they have made the same from a Road impassable, to be to the satisfaction of all that travel that way very passable and convenient: But by reason of the great sum expended and laid out, so borrowed as aforesaid, the Toll will not be sufficient to repay the same within the years mentioned in the former Act with Interest for the same, and to finish the said work.

Ways to Cambridge and New-Market.

And whereas there is a Road in the said County of Hertford that leads from London to Cambridge, and so into Norfolk, and likewise to New-Market, and so into Suffolk, and other parts, which goes out of the forementioned Road at the end of the Town of Puckeridge, and so leadeth to Barley in the said County of Hertford, which is very ruinous, and requires as much the help of the Toll, in many places, as the forementioned Road did;

The Toll for Hertfordshire prolonged.

May it therefore please Your Majesty that it be Enacted, and be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament

Parliament assembled, and by Authority of the same, That the Toll aforesaid mentioned to be taken at Wades-Mill for the County of Hertford, that by the former Act was to continue for eleven years, and no longer, shall continue for the said County of Hertford for the space of One and twenty years, and no longer, the said Term to commence from the time mentioned in the Act before-mentioned, and the Money arising therefrom to be employed for the payment of the Debt aforesaid with Interest, and also for further repair of the said High-way.

It is further Enacted and Declared by the Authority aforesaid, That the persons impowred in the forementioned Act for the repair of the High-ways within the County of Hertford, shall have the same power to repair the said High-ways leading from Puckeridge to Barley in the said County, as they have to repair the High-way in the said County leading from London to York; And that they shall and may apply such part of the Toll thereunto, (having an equal care of both High-ways) as they in their Judgments shall finde needful; Any thing in the said former Act to the contrary notwithstanding.

The former Commissioners to repair Puckeridge Way.

And whereas by the former retired Act, a Toll was erected and set to be taken at the Town of Caxton in the County of Cambridge, for and towards the repairing the High-ways in the said County, The said Toll doth prove useless, and will not answer the end, for which the same was intended, by reason of the Inconveniency of the place where the same was set; Be it therefore Enacted by the Authority aforesaid, That the said Toll be and is hereby removed from the said Town of Caxton unto Arrington-Bridge, or the Town of Arrington, as shall seem most convenient by the Justices of the Peace of the said County at their next Easter General-Quarter-Session of the Peace in the County aforesaid; And that the same Toll shall be taken and received at Arrington-Bridge, or Arrington Town aforesaid, according to the Rates, and by the same ways and means as in the former Act was appointed and declared; And to be employed to the uses, purposes and intents therein also declared; Any thing to the contrary in any wise notwithstanding.

Cambridgeshire Toll to be gathered at another place.

Provided always, That all and every person and persons who by Law are chargeable towards the repairing of the said High-ways and places aforesaid, shall still remain so chargeable, and pay six pence in the pound yearly, according to the true value of their Estate, for and towards the repair of the said High-ways, during the time of the continuance of this Toll; Any thing in this Act to the contrary thereof in any wise notwithstanding.

Persons chargeable to repair this way, are to pay their Rates.

And be it further Enacted by the Authority aforesaid, That the Collector of this Toll shall weekly account to the Receiver-General for the whole Money received by vertue of this or the said former Act; And the next Justice of the Peace for the said County, shall hereby have power to give an Oath to the said Collector, for the making of a true and perfect account of the Money so received; which said account so made, shall be returned into the next General-Quarter-Sessions to be held for the said County by the Justice of Peace, before whom such Oath was taken.

Collectors to account weekly.

Provided also, That if at any time before the expiration of the said term of One and twenty years, the said High-ways shall be well and sufficiently amended and repaired, and so adjudged at the publick Quarter-Sessions for the County of Hertford; And that such Sum or sums of Money as is already borrowed and laid out, or shall be borrowed and laid out for the use aforesaid, be repaid with Interest for the same: That from and after such Adjudication made, and repayment of such Money so borrowed and laid out as aforesaid; the aforesaid Toll in the said County shall cease and determine.

The Toll to cease, if the Money be sooner levied.

And be it further Enacted by the Authority aforesaid, That in case the High-ways within the said County of Hertford shall be sufficiently amended, And that the Justices of the Peace at their Quarter-Sessions shall fail to make an Adjudication thereof, That then in such default of the said Justices of the Peace, It shall and may be lawful to and for the Justices of Assize for the

Judges of Assize may adjudge the Money to be levied.



the said County of Hertford to make such Adjudication, which being entered with the Clerk of the Assizes, shall be esteemed a good Adjudication of the amendment of the said High-ways: And that then and from thenceforth, the said Debt being fully satisfied to such as shall have advanced any Moneys thereupon, the said Coll shall cease and determine; Any thing in this Act to the contrary thereof in any wise notwithstanding.

To whom the  
common Rates  
shall be paid.

Remedy for the  
common Rates.

And whereas in this present Act it is provided, That all and every person and persons who by Law are chargeable towards the repairing of the said High-ways and places aforesaid, shall still remain so chargeable, and pay six pence in the pound yearly, according to the true value of their Estates, for and towards the repair of the said High-ways, during the time of the continuance of the said Coll; Be it therefore provided and Enacted by the Authority aforesaid, That the aforesaid sum of six pence in the pound shall be paid unto the Treasurer appointed to receive the aforesaid Coll, in like manner as the said Coll is appointed to be paid by the aforesaid Act: And for default of payment of the said Rate of six pence in the pound, in manner as aforesaid, by the space of six days after demand made, That it shall and may be lawful for the Surbepors of the High-ways for the time being; And they are hereby impowred to levy the same by Distress, and sale of the Goods of the party refusing to pay the same accordingly, restoring the oberplus (if any be) to the owner.

## CAP. XI.

An Act for Draining of the Fenn, called *Deeping Fenn*, and other Fenns therein mentioned.

Recital of an  
Order by Com-  
missioners of  
Sewers.

Another Or-  
der.

Thomas Lovel  
Esquire.

**V**hereas at a Session of Sewers, holden at Bourne in the County of Lincoln, the Twentieth day of August, in the One and fortieth year of the Reign of Queen Elizabeth, for the Recovery and Draining of certain Fenns in Holland and Kestiven in the County of Lincoln, called or known by the names of Deeping Fenn, Pinchbeck, and Spalding; South Fen, Thurlby Fenn, Bourne-South Fenn, and Croyland Fenn alias Goggushland; It was by the Commissioners then and there assembled, Ordered and Decreed, That the Sum of Twelve thousand pounds should be levied and gathered upon the Lords and Inhabitants of certain Towns in Kestiven and Holland, Commoners in the said Fenns, for Draining the same, and should be paid in to certain persons therein nominated to receive the same, at, or before the Tenth day of September then next ensuing; which said sum being neglected to be paid, the said Fenns by reason thereof could not be Drained, according to the Form by the said Law intended: The said Commissioners therefore well tending the great profit that would arise to all persons concerned, and to the Commonwealth in general, if the same might be Drained, At several Sessions of Sewers held at Market-Deeping the Twentieth day of September, in the said One and fortieth year of Queen Elizabeth, and at Market-Deeping aforesaid the Twentieth day of August, in the Two and fortieth year of the Reign of the said Queen, did Ordain and Decree, That the said Fenns and Marsh-Grounds should be forthwith taken in hand to be Drained, And that Thomas Lovel Esquire (a man skilful in works of that nature) should be admitted to undertake the same under the Covenants therein mentioned: And in pursuance thereof, the said Thomas Lovel did undertake the said Works, and made some progress therein; And afterwards one third part of the said several Fenns were by the said Commissioners of Sewers set out by Petes and Bounds, and allotted to the said Thomas Lovel in recompence of his costs, charges, and endeavors, applied and expended therein; And after, the said third part was by the said Commissioners of Sewers decreed to the said Thomas Lovel, and his Heirs, in recompence of his said work of Draining, and of his charges and expences therein, To have and to hold to the said Thomas Lovel, his Heirs and Assigns for ever.

And

And whereas by an Act of Parliament made at Westminster, in the first year of King James, Entituled, An Act for relief of *Thomas Lovel* Esquire, the abovesaid Decrees of Sewers were Ratified and Confirmed; And the said third part of the said Fens and Marsh-Grounds, as they were allotted and set out by the said Commissioners, were by the said Act Ordained, Enacted, and Established to be held by the said *Thomas Lovel*, his Heirs and Assigns forever, under the Proviso, Conditions, and Appointments in the said Decrees, and Act of Parliament mentioned and expressed, as by the said Act of Parliament and Decrees of Sewers more fully may appear. And whereas the said *Thomas Lovel* immediately after the making the said Act of Parliament, entered into the said Lands set out and assigned as a third part of the said several Fens, and by vertue of the said Decrees and Act of Parliament became seised thereof, and he, and his Heirs and Assigns have ever since, till of late years, held and enjoyed the same, until (by some neglect in the Assigns of the said *Thomas Lovel*, and failure in the Maintaining, Scowring, and Cleansing the said Banks, Rivers, Sewers, and other Works necessary thereunto) occasioned by some differences arising between the said Assigns of the said *Thomas Lovel*, and the Lords, Owners, and Commoners of the said Fens, about the enjoyment of some additional recompence allotted to the said Assigns of the said *Thomas Lovel*, by a subsequent Law of Sewers (made at Spalding) not onely the said Fens and Marsh-Grounds are returned into their ancient condition of being hurtfully surrounded and annoyed with Waters; but a great and considerable part of some adjacent Towns of Holland have been overflowed and laid desolate, and many Habitations and Families who formerly lived comfortably there, utterly ruined and destroyed thereby, and yet continue in manifest danger in all seasons of wet weather and floods, to fall into the said calamities: Which great mischief is by long and indubitable experience found to arise principally from several imperfections in the said Decrees and Acts of Parliament.

The said Orders confirmed by Parliament, 1 Jac.

Grievance of *Thomas Lovel*.

To the end therefore, that the said Countrey being in its own nature very rich and fertile, and wherein the King, and Queens Majesty his Mother have large Possessions, (and many ancient Families and Inhabitants their whole subsistence) may not longer remain in such manifest danger of being utterly lost, nor the Commonwealth continue longer deprived of those advantages which would arise from the performance of the said Works; Be it Enacted by the Kings most Excellent Majesty, by and with the consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said Decrees, and Act of Parliament abovesaid, and every Clause, Article, and thing therein contained, other then such as are herein after mentioned, enacted, ratified and confirmed, shall be and are hereby repealed and made void to all intents and purposes whatsoever.

Some former Decrees confirmed.

And in as much as the Right Honorable *Thomas Earl of Berkshire*, and the Lady *Elizabeth* his Wife, and *Charles Lord Howard of Charlton*, commonly called the Lord Viscount Andover, their Eldest Son and Heir apparent; The Right Honorable *Robert Lord Bruce*, Baron of Wharleton in the Kingdom of England, and Earl of Elgin in the Kingdom of Scotland, and the Lady *Diana* his Wife; The Right Honorable *Anne Countess of Stamford*, and *Thomas Lord Grey of Groby*, have formerly held and derived to themselves, with Remainders over to several other persons, by several Conveyances from or under the Right Honorable *William late Earl of Exeter*, and *Elizabeth late Countess of Exeter*, or one of them, several Interests in the said third part of the said Lands, allotted to the said *Lovel*, his Heirs and Assigns; and to other proportions by subsequent Decrees of Sewers, and towards the Dyeing and Maintaining thereof; they the said Right Honorable *William late Earl of Exeter*, and *Elizabeth late Countess Dowager of Exeter*, under whom, or one of whom, they claim, and *Thomas late Earl of Exeter*, from whom

Earl of Berke.

Lord Andover, &c.

Earl of Exeter.



Undertakers  
named to Drein  
the Fenns.

What they un-  
dertake to do.

The Under-  
takers to main-  
tain the Banks  
for ever.

They shall  
cleanse Glean  
and Welland  
Rivers, and  
keep them Na-  
vigable.

What Streams  
they may di-  
vert.

whom the said William, late Earl, and Elizabeth, late Countess Dowager of Exeter, derived their Title, have expended several great Sums of Money, but have not so fully effected the said Works, nor introduced those Benefits and Advantages which were expected: And for reason do alledge, that the third part, and subsequent Allotments, are not recompence sufficient to answer the charge of a more perfect performance of the said Work; but offer to proceed and perfectly to effect the same, if they may have a sufficient recompence and compensation for their Hazard, Charge, and Pains therein: Be it Enacted by the Authority aforesaid, That Edward Earl of Manchester, Lord Chamberlain of His Majesties Household, William Earl of Devonshire, John Lord Berkley of Stratton, Anchatil Grey Esquire, Henry Grey Esquire, and their Heirs and Assigns, and the Survivors of them, shall be and are hereby declared to be the Undertakers for the Dreining of the said Fenns, and every of them in trust, to and for such person and persons, and to such intents and purposes as are herein after-mentioned. And that within the space of Seven years next ensuing, they, their Heirs and Assigns, shall and will at their proper Costs and Charges, recover and make dry the said Fenns, and every of them, and make the same firm and depasturable for Cattel at all times of the year, except Two or three hundred Acres or thereabouts, in the said Fenns called Deeping-Fenn and Goggusland, and Forty Acres or thereabouts in the said Fenns called Thurlby-Fenn and Bourn South-Fenn, which are to be left for Lakes and Sykes for the receipt of Waters within the same; And also, except such Dreens and Sewers as now be, or hereafter shall be made within the said Fenns, or any of them for the Dreining thereof, and so much of the Grounds adjoining to the Rivers, Dreens, and Sewers within the said Fenns, as lie or shall lie between the said Rivers, Dreens or Sewers, and the Banks made or to be made for keeping the Waters lying in the said Rivers, Dreens or Sewers from overflowing the rest of the said Fenns. And also shall for ever hereafter at their own Costs and Charges, not onely repair, exalt, maintain and keep, as need shall require, the Banks environing and encompassing the said Fenns and every of them; but also the Bank on the East-side of the River of Welland, from a place in Crowland, called Brother-House to Spalding High-Bridge. And also the Bank on the North-side of the River Glean, from Gutheram Coat, to a place called Dovehurn in Pinchbeck; and thereof, and of all and every the said Banks abovenamed, shall for ever hereafter exonerate, acquit, discharge, and save harmless as well the Kings Majesty, his Heirs and Successors, as the Queen Dowager, her Tenants, and under Tenants, and all other person and persons, their Heirs and Assigns, of and for their repairing and amending of their several parts and allotments of the same; but also, that they the said Trustees, their Heirs and Assigns, and the Survivors of them at their own proper Costs and Charges, shall for ever maintain and keep the Rivers of Glean and Welland with sufficient Diking, Roading, Scowring, and Banking, (viz.) The River of Welland from the Outgang at the East-end of East-Dieping, leading into the said Fenns, unto the Out-fall thereof into the Sea; And to preserve and maintain the Navigation thereof without Imposition or paying any thing whatsoever for the same, but with liberty to alter and divert the Course and Channel of the same, into any other part or parts of the said Fenns before it cometh to the said Corner of Dieping-Fenn abutting upon Hawthorn-Bank, from whence through the said Town of Spalding as it now passeth to the Sea, it shall not be lawful to divert the Course thereof: And with like liberty to divert the said River of Glean before it cometh to the place called Pinchbeck-Barrs or Dovehurn in Pinchbeck; from which place called Dovehurn, through the said Town, and the Town of Surflet as it now passeth to the Sea, it shall not be lawful to divert the same, or prejudice the Navigation thereof. And all manner of Dreens, Sewers, and Passages for Waters and other Water-works whatsoever which now are or hereafter shall be made within or without the

the said Fens for the Draining of the said Fens, or any of them which shall be necessary to be made or continued, in order to the preserving the said Fens from Surrounder. And thereof, and of all and every the said Rivers to discharge, exonerate, acquit, and save harmless, as well the Kings and the said Queens Majesties, His Heirs and Successors, their Tenants and under-Tenants, as all other person and persons, their Heirs and Assigns, of and for the repairing and amending of their several parts and allotments in them and every of them.

They shall acquit others of the Draining and Repairing.

Be it further Enacted by the Authority aforesaid, That the said Trustees, their Heirs and Assigns, or the Surbibo of them, shall at their own proper Costs and Charges make, set down, and maintain such reasonable and convenient Bridges, with Gates unto the same, in wideness not exceeding twelve foot, being well and sufficiently railed or walled against the sides, as well over any Drain or Ditch now made or hereafter to be made, whereby passage may be had into the Fens in such and so many fit and convenient places as shall be thought fit, and Ordered by any six Commissioners of Sewers for the said County of Lincoln, in their publick and open Sessions, and the same shall for ever keep and maintain for convenient and ready passage with Carts and Carriages, and all sorts of Cattel, into, and forth of the said Fens, and every of them.

Passages into the drained Lands.

And it is further Enacted by the Authority aforesaid, That the said Trustees, their Heirs and Assigns, or the Surbibo of them, for the better Draining and keeping dry of the aforesaid Fens, shall and may at their wills and pleasures desert, or maintain and continue all such Drains as now are in the said Fens, or any of them, at the old or accustomed wideness and breadth, or otherwise enlarge the same at their will and pleasure within the said Fens: And likewise may at their will and pleasure make any new Drains, Ditches, and Sewers within the said Fens, or any of them, or without towards the Sea, of what quantity, depth, or wideness they shall think best; which Drains and every of them shall have liberty to run above the Soil, so as the waters of the same be kept within the Banks of the several and respective Drains now made, or hereafter to be made, except so much of the said waters as unavoidable shall soak through the Banks, for which also satisfaction is to be made to any person or persons suffering damage thereby, as shall be awarded by the said Commissioners of Sewers, or any Six of them in the open Sessions, so as the Inhabitants of Spalding and Pinchbeck may have a liberty to set down and stop such Sluces, Tunnels, and Gates of Water and Locks as are or shall be made upon any the said Rivers and Drains (except the said Rivers of Welland, Glean, and the Westlode) at such time or times as two Commissioners of Sewers for the parts of Holland shall judge seasonable and necessary for the Draining of their In-grounds: Provided the same exceed not two Bonerths in the year.

The Undertakers may widen Ditches at their pleasure.

Inhabitants of Spalding.

And if at any time or times hereafter for ever, any of the Bank or Banks of the Drain or Drains, now or hereafter to be made for the Draining of the said Fens, or preservation of the said Country happen to break, or to be overflowed, whereby the waters have issue, and fall into any the several Lands of the Towns of the Wapentake of Elloe, That immediately upon such breach or overflowing, it shall or may be lawful for all or any the Dike-reeves, Officers, or other Inhabitants of any the Towns in Elloe aforesaid, to set down the Clowe of such Drain or Drains, or otherwise to stop the same, till the Banks thereof be breaking, or overflowed, from time to time be sufficiently repaired, strengthened, and heightened.

Wapentake of Elloe.

And be it further Enacted by the Authority aforesaid, That the Currents or Channels of the River of Glean and Welland, and the Westlode, shall not be diverted or turned into any other Tract or Course whatsoever, (that is to say) from a place called Dovehurn in Pinchbeck to the Outfall, and from a Bank in Spalding, called Hawthorn-bank, to the Outfall, but shall

Glean and Welland Rivers may be diverted.



be kept Navigable, as formerly they were, down to the Sea.

If the Undertakers fail to repair Banks, who shall do it.

And be it further Enacted by the Authority aforesaid, That if any Gool or Gool, Breach or Breaches, Overflowing or Overflowings of waters shall happen at any time hereafter to be in, over, or through any of the said Banks, made, or to be made within the said Fens, for the defence and preservation of the same, other then the Bank called the Dozens, and the Bank called Hawthorn-bank, to the surrounding or annoyance of the said Fens, or any part of them within their Charge, as aforesaid, and the same be not amended by the said Trustees, their Heirs and Assigns, or the Surbivoz of them, within Ten days after such Breach, Gool, or Overflowing, That then it shall and may be lawful to and for any of the said Dikereebes or Surbeyors of Sewers in Spalding, or Pinchbeck, or any of the other Towns in the Wapentake of Nefle, or Elloe in the said County of Lincoln, where the said Breach or Breaches, Gool or Gools, Overflowing or Overflowings of water shall happen to be, forthwith and immediately after the said Ten days, to repair the same at the only Costs and Charges of them the said Trustees, their Heirs and Assigns, or the Surbivoz of them.

The Undertakers shall pay for it.

Redemy for the money against the Undertakers.

All which said Sum or Sums of Money so by the said Dikereebes and Surbeyors of Sewers, or any of them, expended in and about the Taking, Repairing, and Amending of any such Breach or Breaches, Gool or Gools, Overflowing or Overflowings of waters, in or over the said Bank or Banks respectively; They the said Trustees, their Heirs and Assigns, or the Surbivoz of them, shall pay, or cause to be paid to the said Dikereebe or Dikereebes, Surbeyor or Surbeyors so expending the same, upon a Note delivered in writing to the said Trustees, their Heirs or Assigns, or the Surbivoz of them, their Tenants or under-Tenants, Serbants or Agents, or any of them, by the said Dikereebe or Dikereebes, Surbeyor or Surbeyors, testified under the hands of Two Commissioners of Sewers, one being of the Quorum, containing as well the Names of the Labourers that repaired the said Breach or Breaches, Gool or Gools, Overflowing or Overflowings, as the Wages paid to them, and the Rates and Prices of all other necessary charges employed and bestowed in and about the same, with their convenient Salary and Wages for their pains in that behalf, at the discretion of Two such Commissioners as aforesaid: The which, if the said Trustees, their Heirs or Assigns, or the Surbivoz of them, or their Tenants or under-Tenants, Agents, or Serbants, shall refuse or neglect to do, That then it shall and may be lawful to and for the said Officers or persons, or any of them that shall make up any such Breach or Breaches, Gool or Gools, Overflowing or Overflowings, or sustain such damages as aforesaid, to enter into the said Third part of the said Fens, or into the five thousand Acres additional recompence herein after given by this present Act, or into any part thereof, and to Distrain and Impound the Horses, Beasts, Sheep or Goods and Chattels of them the said Trustees, their Heirs and Assigns, or the Surbivoz of them, or any Tenant or Tenants, Farmer or Farmers, Occupier or Occupiers of all or any part of the said Third part, and of the said five thousand Acres; And from and after the Fourth day of the said Distress and Impoundment (in case the said Sum or Sums so expended and demanded be not then paid) Sale thereof to make, without allowance of Replevin; and with the Money thereupon arising, to pay and satisfie all sums of money for the said Works expended, and to be allowed as abovesaid, rendzing the Overplus to the Owner, if any Overplus be, over and above the Charges aforesaid, and Charges of keeping.

Dozens and Hawthorn Banks how to be repaired.

Prohibited always, And be it further Enacted, That if any Breach, Gool, Hole, or Holes, or flowing of waters shall happen to be in, over, or through the said Bank called the Dozens, the said Bank called Hawthorn-bank, the said Bank called the East Bank, the said Bank on the Northside of the River Glean, or any other Bank made, or to be made without the said Fens by the

the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, for, or in order to the Draining of the said Fens, That then, and in every such case, It shall and may be lawful for the Dykers and Surbepoꝝ of Sewers in Pinchbeck and Spalding, or any of the Towns in the Capentake of Nefse, or Elloe aforesaid, where the said Breach, Gool, or flowing shall be, forthwith and immediately to repair the same, at the Costs and Charges of the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, to be had and lebid in manner and form as is before expressed and declared, for or concerning the said Banks, environing, or made, or to be made for the Draining or preservation of the said Fens.

And be it further Enacted by the Authority aforesaid, That if it fortune that at any time hereafter, by the negligence of the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, in not sufficiently maintaining, scouring, dyking or cleansing of any Rivers, Banks, Sewers, or Drains whatsoever, which now are, or hereafter shall be made for Draining of the said Fens, and securing of the Country; or that by any inconvenient placing, setting, cutting, or making of any Drain, Gote, or Gluce upon the same, that the Country, or any private or particular person, receive loss or harm thereby; That the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, or some of them shall make such recompence and satisfaction for the same to every person and persons sustaining any Damage thereby, as six Commissioners of Sewers for the said part of Holland, whereof Three to be of the Quorum, shall award and appoint under their Hands and Seals (if the said Lords Adventurers, their Heirs, and Assigns shall not have otherwise satisfied the same) which if they the said Lords Adventurers, their Heirs and Assigns, shall neglect to pay and satisfy to the person and persons sustaining the same, their Executors or Assigns, by the space of Twenty days after demand made thereof, to them the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, or the Agents, Tenants, or under-Tenants of them; That then and from thenceforth, it shall and may be lawful to and for every such person and persons sustaining the same Damage, their Heirs, Executors, Administrators, and Assigns, and every of them respectively, to enter into the same Third part, and into the said five thousand Acres, and every, or any part thereof, and to levy the same Damages so as aforesaid awarded and appointed, by Distress and sale of the Goods and Chattels of them the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, or any Tenant or Tenants, Farmer or Farmers, Occupier or Occupiers of all or any part of the said Third part of the said Fens, or the said five thousand Acres, and present Sale thereof to make after the fourth day of Impoundment (and payment of such money then not made) without allowance of Replevin, rendering the Overplus to the Owner (if any Overplus there be) And if the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, or any of them, shall think it necessary for the enlargement of any old Drain, River, or Bank, out of the said Fens, above that which formerly they were, or for making any new Drain, River or Bank, to cut or cover the several Soil of any person or persons, That then the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, shall compound and agree with the Owner or Owners thereof (if they can agree) And if they cannot agree, that the value of the Damage shall be set down by six of the Commissioners of Sewers, whereof three to be of the Quorum; and the money shall be paid or tendered before such time as the said Soil shall be cut or covered; and upon payment or tender of the said money, it shall be lawful for them to cut or cover the said Soil, for making the said Drains, Rivers, or Banks.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, to pull up any Cart-bridges of Wood or Stone, or any Foot or Horse-bridges, Clowes or Water-bridges, that now lie over the said

The Undertakers to satisfy for losses to particular persons by over-flowings.

Remedy to recover the satisfaction.

Recompence for cutting in another man's land.

Power to pull down Bridges.



two Rivers of Glean and Welland, the Rivers of Westloade and Starfengraft, Vernatts, or any of them, or any other Drain that be too strait or narrow, or otherwise may hinder the course and passage of the waters in the said Rivers, or of any Drain to be devised by the said Trustees, their Heirs or Assigns, or the Survivors of them; and also to pull up all Weares and Purpessures in the said Rivers and Drains that hinder the passage of the water. **Prohibited,** that they shall forthwith sufficiently build and make again at their own proper Costs and Charges the great Bridge over Spalding River (commonly called the High Bridge) of Lime and Stone, and all such other Cart-bridges, Horse-bridges, Clowes, or Water-bridges of Lime, Stone or Timber respectively, as the former were, which have been or shall be so pulled down, to be enlarged or made wider. And that all and every the ancient Bridges and Tunnels under and over any of the Rivers and Drains, and every of them, be repaired and for ever maintained at the charges of them the said Trustees, their Heirs or Assigns, or the Survivors of them. And if it shall happen the said Bridges, or any of them, shall not be made or repaired by the said Trustees, their Heirs or Assigns, or the Survivors of them, in convenient time, according to the true intent or meaning of this Act, That then it shall and may be lawful to and for the Commissioners of Sewers in their publick Sessions from time to time to order and decree how much, or what sum or sums of money shall or may be necessary, or fitting to be raised, for effecting the same. And if after notice of the said Determinations of the said Commissioners by a Note in writing under the hand of the Clerk of the Sewers, given to the said Trustees, their Heirs or Assigns, or the Survivors of them, they shall not pay, or cause the same so adjudged to be paid within thirty days after such notice, That then it shall and may be lawful to and for the said Commissioners of Sewers by their Warrants to levy the same by Distress and sale of the Goods and Cattel levied and couchant upon any the Lands within the said fens, hereby vested and settled in the said Trustees, their Heirs and Assigns, or the Survivors of them. And if it shall fall out that the said High Bridge over Spalding River be not finished before the fife and twentieth of March, One thousand six hundred seventy, That then the said Trustees, their Heirs and Assigns, or the Survivors of them, shall forfeit the full and just sum of One hundred and fifty pounds to Peircy Church Esquire, his Executors or Assigns, which shall and may be raised by the Commissioners of Sewers for the time being, at the Publick Sessions, by sale of part of the said Third part of the said fens, or of the said Three thousand five hundred Acres therein mentioned, and be by them accordingly paid over to the said Piercy Church, his Executors or Assigns; and the person and persons, and their Heirs, to whom such Sale shall be made, shall and may for ever then after hold and enjoy the same by vertue of such Sale, and of this present Act, any thing herein to the contrary notwithstanding.

Power to widen Ditches.

Cattel driven over the Banks in Winter to pay Toll.

And be it further Enacted by the Authority aforesaid, That for the better preservation of the said Banks environing the said fens, or made within the said fens, for the defence of the same, it shall and may be lawful to and for the said Trustees, their Heirs and Assigns, or the Survivors of them, to cut the Ground lying between the Durring-Banks and the said Rivers, or either of them, to take earth, manure and litter for repairing the said Banks so often as need shall require, or to them shall seem meet and convenient, so that such cutting be not extended or made above six score foot distant from the said Banks; and to erect, make, and keep such and so many sufficient Bars and Slakers, and in such places, as shall seem most fit and convenient to the said Trustees, their Heirs and Assigns, or the Survivors of them; the Slakers to take off the Surplusage of Waters, and the Bars to hinder the passage of Horsesmen, and Drifts of Cattel over the same Banks in the times hereafter prohibited.

And to the end that the Banks should not be impaired by Horsesmen, Drifts of Sheep, Horses, Beasts, and other Cattel, It is hereby Enacted by

by the Authority aforesaid, That no person or persons whatsoever (except as hereafter is excepted) shall at any time or times hereafter in any year between Michaelmas-day and the first day of May, drive or cause to be driven any Horses, Oxen, Sheep, or any other kind of Cattel, over or upon any of the said Banks, without first paying to them the said Trustees, their Heirs and Assigns, or the Surbivors of them, after the rate of Four pence for every Score of Sheep, and for every other Beast the sum of Four pence; which they, their Heirs and Assigns are hereby authorized to demand and receive.

Prohibited nevertheless, and be it Enacted, That all and every the Lords, Owners, and Commoners of, or in all, or any part of the said Fens, shall have free liberty at all times of the year, for them, their Horses, Servants, and Cattel to pass and repass upon any Bank or Banks, Drove or Drovers, in or compassing the said Fens, without paying any thing for so doing, if such person or persons claiming such freedom do not usually buy Sheep or Cattel, and trade that way to London with such Cattel or Sheep, as are not of their own feeding for a Month before.

Owners of the Fens to pass free.

And be it Enacted by the Authority aforesaid, That no person or persons whatsoever, keeping a Horse-boat, either at Croyland, Cloote, Deeping, Baston, Eastcoare, Pinchbeck, Spalding, or Cowber, shall land any Horsemen with their Horses or Cattel upon any the said Banks, at any time hereafter, between Michaelmas-day and the first day of May, but at Waldrome-Hall, Baston, Spoute, Dovehurne, Cloote, or Croyland, without licence first thereunto had, and obtained from the said Trustees, their Heirs and Assigns, or the Surbivors of them, upon pain and forfeiture to be made and paid, for every horse and neat Beast six pence, and for every Score of Sheep four pence to the said Trustees, their Heirs and Assigns, or the Surbivors of them: And that no manner of person or persons shall draw any Boat on, or over any the Banks in, or compassing the said Fens, but in such places only, as are or shall be appointed for that purpose.

Landing places for Boats.

And it is further Enacted, by the Authority aforesaid, That no Swine of what sort soever, ringed or unringed, be put upon the said Fens, or any of them between the said Banks, and the Wear-ditches, but that they shall be put into the Fens at usual places where other Cattel are put in; And that the Swine so put, shall be ringed, upon pain of every Hog so found unringed, to forfeit to them the said Trustees, their Heirs or Assigns, or the Surbivors of them, the sum of Two pence for every time so found, to be levied by Distress and Impounding of such Hog or Hogs.

Swine in the Fens ringed.

Penalty.

And it is further Enacted by the Authority aforesaid, That the said Trustees, their Heirs and Assigns, or the Surbivors of them, their, or any of their Tenants, Farmers, or Ground-holders of any part of the said Third part, or of the said Fenn, or of the said five thousand Acres, shall not have any time hereafter, use, or claim any Common of Pasture, or other Commonage of Pasturing in any part of the remainder of the said Fens, nor any of them, nor in the North-Fenn of Pinchbeck and Spalding, nor any part thereof, by virtue or pretence of his or their resistance there: But all and every the Inhabitants that may hereafter be upon any part of the said Third part, or upon any part of the said five thousand Acres, and are not able to maintain themselves, shall be maintained and kept by the said Trustees, their Heirs and Assigns, and the Surbivors of them, and never become chargeable in any kind, to all or any the respective Parishes wherein such Inhabitant or Inhabitants shall reside or dwell: Any Statute or Law to the contrary hereof in any wise notwithstanding.

The Undertakers not to have any Common but in their Lots.

They are to keep the poor dwelling within their Lots.

And be it further Enacted by the Authority aforesaid, That no water shall be let or taken out of the Rivers of Glean or Welland, or any other the said Drain or Drains, by any Sluce, Cut or Tunnel, without the licence of the said Trustees, their Heirs or Assigns, or the Surbivors of them, or by order of six Commissioners

No water let out of Glean or Welland, but by the Undertakers.



Commissioners of Sewers, who likewise are to take order that such Cut or Cuts made for the taking thereof, shall be made up again at the charge of the person or persons for whose benefit the same were made, but for necessary household uses, by such as now lie by some Law of Sewers already settled; And in case any abuse of the said Tunnels happen to be, that then the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, their Serbants or Agents shall have power immediately to stop the same.

Blewgate  
Sluce.

And it is further Enacted by the Authority aforesaid, That the Inhabitants of Pinchbeck and Spalding shall for ever hereafter have the use of a certain Gote or Sluce, called Blewgate, and the Drain leading thereto; so as the said Trustees, their Heirs or Assigns, shall not be put to any charge for the repairing or maintaining of the same.

Dozens Drain  
to be enlarged.

And be it further Enacted by the Authority aforesaid, That the Loads, or Drain under the Dozens, from Baston-bank to Winsoever, be Ditched Two hundred Foot more inward into the said Fens then now it is, and the earth laid on that side the Bank next the Town of Pinchbeck.

The Undertakers  
reward by  
lands.

And be it further Enacted by the Authority aforesaid, That for and in consideration of all the monies already expended in, and about the Draining of the said Fens, and in consideration of the doing and performing of the Works aforesaid hereafter to be done, and of all and every of them, about the Recovering, Inning, and Draining of the said Fens, and every of them, that they the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, shall from henceforth have, hold, peaceably occupy and enjoy to them, their Heirs and Assigns in Fee-simple for ever, the said Third part of the said Fens and Marshes formerly assigned to the said Thomas Lovel, his Heirs and Assigns; as also Three thousand five hundred acres added and allotted by a Decree of Sewers made at Spalding in the said Fens, and one thousand Acres out of that part of the said Fens, formerly taken in for the Queens Improvement, and five hundred Acres more to be taken proportionably out of the residue of the said Fens in Kestiven and Holland, next adjoining to the said three thousand five hundred Acres: which three thousand five hundred Acres, and one thousand Acres, and five thousand Acres last mentioned, are to be measured by Statute-measure by two Artists, and set out by them at the charge of the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, One to be chosen by the Commissioners of Sewers of Kestiven and Holland, and one other by the said Undertakers; but upon the Trusts hereafter mentioned: That is to say, As touching and concerning Eight thousand thirty six Acres thereof mentioned in a Schedule annexed to an Indenture of Fifteen parts, dated the second of August, One thousand six hundred fifty, made between Elizabeth Countess Dowager of Exeter, and others therein named; and Two thousand Acres more to be indifferently set out within six Moneths after the passing of this Act, amounting in the whole to Ten thousand thirty six Acres in Trust: That the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them shall grant and convey the same to such person or persons, or for such Estates in Fee-simple, or otherwise, in such manner as the said Thomas Earl of Berks, the said Lord Andover, Lord Bruce, and John Lord Berkley of Stratton shall appoint. And as for, touching, and concerning the residue of the said Fens, by this Act allotted for recompence for the said Draining, moreover and above the said Eight thousand thirty six Acres, and Two thousand Acres in Trust for the said Earl of Berkshire, and the Lady Elizabeth his Wife, the said Lord Andover, the said Earl of Elgin, Countess of Stamford, and Lord Grey, and such other person and persons to whom the remainder upon their Estates are limited, according to their several and respective Interests and Estates, as aforesaid, made or derived from, by, or under the said William late Earl of Exeter, and Elizabeth late Countess of Exeter, or either of them, their or either of their Heirs or Assigns: And in case the said Commissioners shall not nominate a Surveypoꝝ within Three moneths after nomination by the said Trustees,

Of part—  
The Trustees  
seised to the use  
of the Earl of  
Berks, Lord  
Andover, &c.

Of other part  
to other uses.

Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, and both to be sworn by the said Commissioners, and notice thereof to be given to the said Commissioners; That then the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, shall proceed as aforesaid, by their own Artist.

Provided also, and be it Enacted by the Authority aforesaid, That the said Trustees, their Heirs and Assigns, and the Surbiboꝝ of them, shall at all times hereafter sufficiently fence and inclose the said Third part, and all other the Lands by this Act to them granted on all parts, against the Lords and Commoners, of and in the residue of the said Fens: And if any of their Cattel shall enter or break into the said Third part, and other Lands so granted, or any part thereof, in default of the Inclosure thereof: It shall not be lawful for the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, to Distrain and Impound the same, or to maintain any Action for any such Entry, Depasturing, or other Trespas happening in such default: And if any such Action be brought, it shall be lawful for the Defendant or Defendants, therein to plead the General Issue, and to give this Act in Evidence.

The Undertakers to inclose their share, and maintain the Fences.

And that the two Drove-ways in the said Fens, called the North-Drove, and South-Drove, leading from the parts of Kestiven into the parts of Holland, be continued open and common through the said Third part, and Lands to them granted for the use and benefit of the Lords and Commoners, for a Drift-way for them and the said Undertakers: And also that the Banks or Drains (by vertue of this Act) to be continued or made, shall not stop or hinder the Land-waters falling from the parts of Kestiven into the said Fen, but shall and may receive and carry the same away.

And to suffer ways to be made over their share.

Provided always, That this Act, or any Clause, Article, Sentence, or Penalty therein contained, mentioned or expressed, shall not extend to charge the persons of the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, or any the Estate or Estates real or personal of them the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, other then their Estate and Estates of and in the said Fens.

No Estates but Fens of the Undertakers liable.

Provided also, and upon condition, That if the said Trustees, their Heirs or Assigns, or the Surbiboꝝ of them, shall neglect the Inning and Draining of the said Fens, and every or any of them, and shall not fully and perfectly finish the Draining of the same before the end and expiration of the said Seven years as aforesaid, according to the intent and purpose of this Act: or shall not after the Inning or Draining thereof, keep and maintain the said Fens, and every of them, after the end and term of the said Seven years, dry, firm, and depasturable ground for Cattel at all times in the year (except such Lakes, Drains, Sewers, Portions, and Quantities of the said Fens as are before excepted) but shall wilfully and negligently suffer the said Fens and Wastes, or the most part of the same to be again drowned and overflowed by the space of five years, at any time after the expiration of the said Seven years, and the same be found and adjudged hurtfully surrounded, in default of the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them (contrary to this Act) by Twelve Commissioners of Sewers, or the greater number of them, whereof six to be of the parts of Holland, and six of Kestiven, of which Twelve Commissioners, three of either of the said parts to be of the Quorum, upon their view or inquisition, or presentment of Jury, that the same hath so long continued drowned: and that Judgment be certified of Record into the High Court of Chancery, under their Hands and Seals, or the greater number of them: That then, and from thenceforth the trust of the said Trustees, their Heirs and Assigns, or the Surbiboꝝ of them, of, in, and to the said third part, and the said other parts and proportions added and allotted for a further recompence as aforesaid, for the said Earl and Countess of Berkshire, Lord Howard of Charlton, Lord Bruce, Countess of Stamford, Lord Grey, and other persons in remainder as aforesaid, And all

If they do not finish the Draining in seven years,

Or not maintain their Drains from overflowing.

Then their Estate to cease.



And be vested  
in the Commis-  
sioners of  
Sewers.  
And they to  
Drain.

The Trustees  
to convey their  
share as the  
Commissioners  
of Sewers shall  
appoint.

Those Estates  
made good.

The Trustees  
to pay 100 l.  
into the Com-  
missioners of  
Sewers hands  
to amend  
South-Dozens  
and Hawthorn-  
Bank.  
Remedy for the  
100 l.

Power to make  
By-laws.

and every Estate and Estates whatsoever by them granted, conveyed, or in any manner executed, of all or any the said Third part, or other proportions added and allotted for further recompence to any person or persons whomsoever, in execution, pursuance or discharge of their said Trust, or otherwise shall cease, determine, and be utterly void, to all intents and purposes whatsoever, and not to be helped, altered, or relieved in any Court, or by any course of Law or Equity; And that then, and from thenceforth the said Trustees, their Heirs and Assigns; or the Survivors of them, shall stand and be seized of all the said Third part, and the additional Allotments in trust, to permit and suffer the said Commissioners of Sewers of Kesteven and Holland, to take, perceive, and receive the whole Rents, Issues, and Profits, to the end the same may be laid out and expended for the regaining of the said fens, and to defray the Charge which the Country shall, or may be put unto to preserve themselves and their other Lands from being surrounded or damaged by the said waters, in default of maintaining of the said Banks, and doing other the said Works which ought to have been made and repaired by the said Trustees, their Heirs and Assigns, or the Survivors of them: And upon further trust likewise, That the said Trustees, their Heirs and Assigns, or the Survivors of them, shall and will from time to time, and at all times, make and execute such Estate and Estates, as Twelve Commissioners of Sewers of the parts of Holland and Kesteven, whereof three of each part to be of the Quorum, shall by writing under their Hands and Seals direct and appoint.

And be it Enacted and Declared, That all such Estate and Estates so by them made, shall be, and be, and be deemed and taken to be good and effectually in Law to all intents and purposes, as if the same were in this present Act particularly and by proper Names mentioned and expressed.

And be it further Enacted by the Authority aforesaid, That if the said Trustees, their Heirs or Assigns, or the Survivors of them, shall not, or do not, at or before the said term of Seven years, well and truly pay or cause to be paid the full and just sum of One hundred pounds of lawful money of England, into the hands of such person or persons as the said Commissioners of Sewers in their publick Sessions from time to time shall appoint to receive the same, That then, and in such case it shall and may be lawful to and for the said Commissioners of Sewers by an Order in writing under their Hands and Seals, to Authorise such person or persons as they shall think fit, to enter into any the said Lands, part of the said Third part allotted to the said Thomas Lovell, out of any the fens by him formerly undertaken to be drained, and the said additional Lands; And out of the Rents, Issues, and Profits thereof to raise the same sum of One hundred pounds, To the end the same shall and may be by them employed and laid out in, and about the necessary maintenance and reparation of the Banks above mentioned, called the South Dozens, and Hawthorn Bank, and so from time to times, and at all times, as the said One hundred pounds or any part thereof, shall be as abovesaid expended in and about the said Banks as aforesaid, if the same be not again supplied by the said Trustees, their Heirs or Assigns, or the Survivors of them, within six Months then next following, then it shall be in the power of the said Commissioners of Sewers, out of the Rents, Issues, and Profits aforesaid to raise the same, or so much thereof as shall not be supplied as abovesaid, from time to time and at all times, as occasion shall require.

Provided always, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for such person and persons, their Heirs and Assigns, or any Three or more of them, to whom the said Trustees, their Heirs or Assigns, or the Survivors of them, shall make or execute any Estate or Estates of the said Ten thousand thirty six Acres before mentioned, or any part thereof, as Adventurers under the said Trustees, their Heirs or Assigns, or the

the Survivors of them, in Dreining the said Fens at all times, and from time to time, from and immediately after execution of the said Estate and Estates, to summon, call, and hold meetings of themselves, their Agents and Workmen, at such place and places, by Warrant under their or more of their Hands and Seals, or under the Hand and Seal of their Common Clerk for the time being, for the making, altering or confirming; And with Power and Authority hereby granted unto them, their Heirs, Executors, Administrators, and Assigns, for making, and to make By-Laws for the better Government, and more orderly management of the said work of Dreining the said Fens within themselves respectively.

And also be it further Enacted by the Authority aforesaid, That at all and every meeting and meetings as aforesaid, to be held, It shall and may be lawful, and they are hereby thereunto impowered, for any three or more of the said Undertakers, their Heirs, Executors, Administrators, and Assigns, to Assess, Rate, Tax, and Charge all and every the respective Owner or Owners, their Heirs, Executors, Administrators, and Assigns, and every of them, of all and every the said Ten thousand and thirty six Acres aforesaid, by an equal and proportionable Acre-tax, with any Sum or Sums of Money, as they shall adjudge necessary for the carrying on, and effecting the said Work; and to limit and appoint such certain days and places for the respective payments thereof to their Treasurer or Treasurers for the time being, as they the said Undertakers, their Heirs, Executors, Administrators, or Assigns, or any three or more of them, under their Hands and Seals shall appoint, so as every of the said Undertakers, who shall at any time or times hereafter, Assess, Rate, Tax, and Charge the said Sums of Money, be really then Owner of Two hundred and fifty Acres of Land, or more within the said Fen.

Undertakers  
may make a  
Tax by Acres.

And be it further Enacted, Upon default made by any person or persons to Assess, Rate, Taxed, and Charged as aforesaid, in his or their respective payments to be limited and appointed as aforesaid, by the space of three Moneths after the time limited for payment thereof, That it shall and may be lawful to and for any three, or more of the said Adventurers, their Heirs, Executors, Administrators, or Assigns, to bargain, sell, convey, and assure all, or so much of the said Defaulter or Defaulters Lands respectively, within the said Fen, for raising the Sum or Sums of Money so Assess, Rated, or Charged as aforesaid, to any other person or persons, their Heirs, and Assigns, for such Estate or Estates, as the said Defaulter or Defaulters had in him or them respectively, at the time of the said Default or Defaults made as aforesaid, as to them or any three or more of them the said Adventurers, their Heirs, Executors, Administrators, or Assigns, shall seem meet; Subject nevertheless to the Conditions and forfeitures in this Act contained and expressed: And all and every Conveyance thereof is, and shall be adjudged good and available in Law and Equity, against all and every such Defaulter and Defaulters respectively, and against his or their respective Heirs, Executors, Administrators and Assigns, so as the same be inrolled in the High Court of Chancery within Six Moneths after the making thereof.

Remedy for the  
Tax.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for any person or persons, Bodies Politick or Corporate, their Heirs and Successors, Owner or Owners of the Soil of the said Fens or Wastes, or who may or ought to have Common in any of the same, to improve, set out, inclose, divide, and sever such quantity or quantities of the said Fens or Wastes (other then such of the same as by the tenor of this Act are appointed or allotted to the said Undertakers as aforesaid) as shall be proportionable to his or their respective Interest, or to his or their Lands and Tenements, whereunto, or in respect whereof, the said Common or Waste may or ought to be had or enjoyed; And such quantity or quantities to have and to hold in fealty, by, and according to such Tenures, Estate, Right, Title, and Interest, as such person or persons have or shall have in such Parts, Lands

Owners of the  
Fens may In-  
close.



and Tenements; subject nevertheless to all the Powers and Liberties given by this Act to the said Trustees, their Heirs and Assigns, and the Surbiboꝛ of them, for Draining the said Fens, as if the same Lands had remained common and uninclosed, leaving and allowing convenient passages and ways in, and to the said Undertakers ground in the said Fen.

Commissioners  
to judge of the  
Bounds and In-  
closures.

And it is further Enacted, That the Boundaries of the said Wastes to to be inclosed, Approbements and Inclosures shall from time to time, and at all times, upon request of any person or persons concerned, be determined and adjudged, and finally ended by the persons hereafter named, (that is to say) Thomas Lord Beaumont of Cole-Orton, Sir George Villers of Bruxby Baronet, Sir William Hartopp of Rotherby Knight, William Hartopp of Little-Dalby Esquire, Sir Henry Hudson of Melton-Mowbray Baronet, Sir Edward Smith of Edmondthorpe Knight, Richard Lister of Thorpe Esquire, John Hacket of Kettleby Esquire, William Gilbert of Melton-Mowbray Esquire, all of the County of Leicester; Baptist Lord Viscount Campden, Sir Edward Heath of Cottesmore Knight of the Bath, William Palmes of Ashwell Esquire, Abel Barker of Hambleton Esquire, Samuel Browne of Stockins Esquire, Robert Mackeworth of Empingham Esquire, Philip Sherard Esquire, Alexander Noel of Whitwell Esquire, Christopher Browne of Towthorpe Esquire, Edward Falkener of Uppingham Esquire, Sir Thomas Mackeworth of Normanton Baronet, Henry Noell Esquire of Exton, Andrew Noell Esquire of Whitwell, Charles Halford Esquire of Weston, Thomas Pilkington Esquire of Belton, Beaumont Bodenham Esquire of Ryhall, and Henry Mackeworth Esquire of Normanton, all of the County of Rutland; Mildmay Earl of Westmerland, Obrian Lord Cockaine, William Stafford Esquire of Blatherwicke, Lewis Palmer Esquire of Corlton, Edward Palmer Esquire of Stoake, Walter Kirkham of Finshead Esquire, Christopher Thursby Esquire, Humphrey Orme Esquire, Sir Henry Yelverton Baronet, Thomas Dove of Upton Esquire, William Mountague Esquire, Francis Quarles Esquire, George Quarles Junior of Ufford Esquire, Francis Kirkham Esquire of Finshead, John Lynne Esquire of Southwick, all of the County of Northampton; Robert Lord Willoughby of Erisby Eldest Son to Mountague Earl of Lindsey Lord Great Chamberlain of England, Sir Thomas Meres Knight, Sir John Newton Baronet, Sir Anthony Iby Knight, Peregrine Bartue Esquire, Anthony Thorold of Marston Esquire, William Blythe of Straston Esquire, Phillip Dallow of Bitchfield Esquire, Thomas Harrington of Boothby Esquire, Charles Bawdes of Somerby Esquire, Sir Edward Barkham Baronet; all of the County of Lincolne; or by any Seven or more of them. Which said persons, or any seven, or more of them, are hereby constituted and appointed Commissioners for that purpose, upon their view or examination of witnesses upon oath (which oath they are hereby authorized to administer) or both, or other good and sufficient proof by matter of Record, Writings or Evidences, and hearing the parties concerned, if they be present and desire it; which Determination and Judgement being certified in writing under the hands and seals of the said Judicature, or any seven, or more of them, into the Petty-bagg, there to be filed and kept on Record, shall be final and conclusive unto all parties. Provided always, That in case any person or persons, Bodies Politique or Corporate, shall find him or themselves aggrieved with such Judgement and Determination of the said Judicature, and shall thereof within six Months next after the same appeal to any thirteen, or more other persons of the said Judicature, Then such Determination as the said thirteen more shall make, being certified by writing under the hands and seals of the said thirteen or more, into the Petty-bagg aforesaid, there to be filed and kept on Record, as aforesaid, shall be final and conclusive to all parties, the said former Judgement or Determination notwithstanding. And the Inclosures and Proportions so adjudged or decreed as aforesaid to such person or persons, Bodies Politique and Corporate, shall be held by him or them, and his and their Heirs and Successors respectively,

Their judg-  
ment certified  
into the Petty-  
Bagg.

Appeals from  
such judgments.

respectively, by and according to his and their Tenures, Estate, Title and Interest, which he or they had in the Mannors, Lands or Tenements, for or in respect of which, he or they claimed, or inclosed the said quantity or quantities of the said Wastes as abovesaid. Provided always, and be it Enacted by the Authority aforesaid, That the said Commissioners, and every of them, before he or they take upon him or them the execution of any the Powers or Authorities hereby given them (other then the administering the Oath following to one another, which they shall have Authority by this present Act to administer to one another) shall take the Oath following, (viz.)

These Commissioners to take an Oath

**I** A. B. am not interested in possession, reversion or remainder, of, in or to the said Fens, or any part thereof; And shall and will without favour or affection, hatred or malice, truly and impartially, according to the best of my skill and knowledge, execute and perform all and every the Powers and Authorities in me established by this Act of Parliament.

Which Oath any one of the said Commissioners are hereby authorized to administer; And that the places where the said Commissioners shall sit to hear, order and determine the matters referred to them by this Act, shall be at the Towns of Stamford, Market-Deeping, or Spalding in the said County of Lincoln. And the said Commissioners, or any seven or more of them, are hereby directed by Warrant under their hands and seals, to declare the places and times of their meeting; The same Warrant to be published in open Market, in the said Towns of Stamford, Market-Deeping, and Spalding, between the hours of twelve and two upon some Market-Day, one and twenty days at least before the said time or times of meeting, To the end all persons concerned may have sufficient time and notice to attend: And shall have power by warrant and authority under the hands and seals of any three, or more of them, to summon parties and witnesses to appear before them; And in case any controverſie or difference shall happen to arise between or amongst the said Commissioners, before any Judgement or Determination given by them in the premises, touching or concerning the exposition of the words of this Act, or the powers or authorities thereby to them given; Then the Lord Chief Justice of the Kings Bench, the Lord Chief Justice of the Common-Pleas, and the Lord Chief Baron of His Majesties Court of Exchequer for the time being, are hereby constituted and established a Judicature; And they, or any two of them, are hereby authorized to hear, adjudge and determine such controverſies and differences: And their Judgement or Determination thereof, certified under their hands and seals, shall be observed, and shall be likewise certified, together with the Judgements and Determinations of the said Commissioners, into the Petty-bagg, there to be kept on Record as aforesaid.

Places for their Session.

Differences between the Commissioners referred to the Chief Justices and Chief Baron.



A N N O XVII.  
**Caroli II. Regis.**

At a Session of the same PARLIAMENT, by divers Prorogations held at *Oxford*, the Ninth day of *October*, in the Thirteenth Year of His Majesties Reign, 1665. and there continued unto the last day of *November* next following.

CAP. I.

An Act for granting the sum of Twelve hundred and fifty thousand pounds to the Kings Majesty, for His present further Supply.

Preamble.



WE Your Majesties most Dutiful and Loyal Subjects, the Commons assembled in Parliament, having observed the Ways and Means by which Your Majesty hath been enforced to Engage Your self in a War against the States of the United Provinces, for the necessary Defence of your own Crown and Dignity, and the Safety and Welfare of Your People; Do with all humble Thankfulness acknowledge Your Majesties Care and Conduat in this great Affair; which, as it hath been already attended with very considerable Success, so we shall daily pray that all Your Majesties Enterprises may still be crowned with Honour & Victory. And although the continuing Insolence of your Majesties Enemies, and the doubtful Amity of some of Your Majesties Neighbours, have made it necessary to provide for further and greater Expences, in a time when the general Contagion hath much interrupted our Trade and Commerce; Yet, that Your Majesty may see that we Your Majesties Loyal Subjects do more consider our Zeal and Duty to Your Majesty, then any difficulties under which we labour, We have cheerfully and unanimously given and granted, and by these presents do give and grant unto Your most Excellent Majesty, the sum of Twelve hundred and fifty thousand pounds, to be Raised and Levied in manner following; And we do most humbly beseech Your Majesty, That it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by Authority of the same, That the sum of Twelve hundred and fifty thousand pounds shall be Raised, Levied, and paid unto Your Majesty within the space of Two years, in manner following: That is to say, Whereas in and by a certain Act of Parliament lately Passed, Intituled, An Act for granting a Royal Aid unto the Kings Majesty of Twenty four hundred threescore and seventeen thousand and five hundred pounds, to be Raised, Levied and paid in the space of Three years; It was amongst other things Enacted, That the sum of Threescore and eight thousand eight hundred and nineteen pounds and nine shillings by the month, for Thirty six moneths, beginning from the five and twentieth day of December One thousand six hundred sixty and four, should be Assessed, Cared, Collected, Levied and paid, by Twelve Quarterly payments, in the several Counties, Cities, Burroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the several Rates and Proportions, and in such manner as in the said Act is expressed; One years payment whereof, that is to say, four quarterly Payments, will be fully expired upon the five and twentieth day of December, in the year of our Lord One thousand six hundred sixty five, and two years payment more will be then to come and unexpired.

It

16 C. 2. c. 2.

It is now further Enacted by the Authority aforesaid, That the sum of Fifty two thousand fourscore and thre pounds six shillings and eight pence by the moneth, for Twenty four moneths, beginning from the Fife and twentieth day of December One thousand six hundred sixty five, shall be Assessed, Taxed, Collected, Levied and paid by eight quarterly payments, in the several Counties, Cities, Burroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, over and above the sum of Threescore and eight thousand eight hundred and nineteen pounds and nine shillings by the moneth, which is to remain and continue payable during the said twenty four moneths, by vertue of the said former Act, and as an Addition to, and increase of the said Monethly Assessment, according to these further Rates, Rules, and Proportions, in such manner as herein after is expressed: That is to say, for every of the said Twenty four moneths:

Grant of the Tax.

**F**or the County of Bedford, the sum of Six hundred seventy eight pounds fourteen shillings nine pence farthing. Rates of Counties.

The County of Berks, Eight hundred fifty six pounds eighteen shillings two pence thre farthings.

The County of Bucks, Nine hundred ninety five pounds seven shillings ten pence.

The County of Cambridge, the sum of Seven hundred seventy one pounds eighteen shillings one penny farthing.

The Isle of Ely, Two hundred sixty four pounds fifteen shillings ten pence.

The County of Chester, with the City and County of the City of Chester, the sum of Six hundred and six pounds seven shillings seven pence.

The County of Cornwall, the sum of One thousand one hundred sixty six pounds two shillings four pence farthing.

The County of Cumberland, the sum of One hundred twenty seven pounds seven shillings thre pence farthing.

The County of Derby, the sum of Six hundred fifty two pounds twelve shillings eleven pence thre farthings.

The County of Devon, the sum of Two thousand four hundred forty four pounds six shillings nine pence farthing.

The City and County of the City of Exon, the sum of Eighty eight pounds one shilling two pence farthing.

The County of Dorset, the sum of One thousand and seventeen pounds nine shillings nine pence half-penny.

The Town and County of Pool, the sum of Eight pounds six shillings thre pence farthing.

The County of Durham, the sum of Two hundred forty five pounds one shilling five pence farthing.

The County of York, with the City and County of the City of York, and Town of Kingston upon Hull, the sum of Two thousand six hundred twenty five pounds eight shillings seven pence thre farthings.

The County of Essex, the sum of Two thousand thre hundred forty four pounds sixteen shillings one penny thre farthings.

The County of Gloucester, the sum of One thousand thre hundred sixty eight pounds twelve shillings six pence farthing.

The City and County of the City of Gloucester, the sum of Twenty nine pounds sixteen shillings three pence farthing.

The County of Hereford, the sum of Eight hundred fifty six pounds eight shillings one penny thre farthings.

The County of Hertford, the sum of One thousand and eighteen pounds nine shillings five pence farthing.

The County of Huntington, the sum of Four hundred seventy nine pounds eleven shillings four pence.

The County of Kent, with the City and County of the City of Canterbury,



bury, the sum of Two thousand five hundred and seven shillings four pence farthing.

The County of Lancaster, the sum of Seven hundred sixty one pounds sixteen shillings four pence farthing.

The County of Leicester, the sum of Eight hundred and twenty pounds seventeen shillings six pence three farthings.

The County of Lincoln, with the City and County of the City of Lincoln, the sum of One thousand nine hundred forty eight pounds fifteen shillings two pence farthing.

The City of London, with the Liberty of St. Martins Le Grand, the sum of Three thousand eight hundred fifty three pounds two shillings ten pence three farthings.

The County of Middlesex, with the City and Liberty of Westminster, the sum of One thousand six hundred ninety five pounds ten shillings ten pence.

The County of Monmouth, the sum of Two hundred ninety five pounds two shillings nine pence three farthings.

The County of Northampton, the sum of One thousand and seventy pounds one penny farthing.

The County of Nottingham, with the Town and County of the Town of Nottingham, the sum of Six hundred and sixty pounds nineteen shillings two pence farthing.

The County of Norfolk, the sum of Two thousand five hundred and fifty pounds fifteen shillings four pence farthing.

The City and County of the City of Norwich, the sum of One hundred thirty six pounds four shillings four pence half-penny.

The County of Northumberland, with the Town of Newcastle, and Berwick upon Tweed, the sum of Two hundred eighty two pounds two shillings three pence farthing.

The County of Oxon, the sum of Eight hundred fifty nine pounds six shillings eight pence farthing.

The County of Rutland, the sum of One hundred eighty one pounds nineteen shillings two pence farthing.

The County of Salop, the sum of Nine hundred and ten pounds eighteen shillings six pence farthing.

The County of Stafford, the sum of Six hundred forty five pounds four shillings three half-pence.

The City and County of the City of Lichfield, the sum of Nine pounds sixteen shillings nine pence farthing.

The County of Somerset, the sum of Two thousand ninety seven pounds eight shillings two pence three farthings.

The City and County of the City of Bristol, the sum of One hundred and fifty pounds eighteen shillings two pence farthing.

The County of Southampton, with the Town and County of Southampton and Isle of Wight, the sum of One thousand six hundred fifty six pounds seven shillings and eleven pence.

The County of Suffolk, the sum of Two thousand four hundred ninety six pounds four shillings seven pence farthing.

The County of Surry, with the Borough of Southwark, the sum of One thousand two hundred and eight pounds eleven shillings four pence farthing.

The County of Sussex, the sum of One thousand three hundred seventy eight pounds seven shillings four pence three farthings.

The County of Warwick, with the City and County of the City of Coventry, the sum of Nine hundred and two pounds seven shillings and two pence.

The County of Worcester, the sum of Seven hundred ninety seven pounds eleven shillings and ten pence.

The City and County of the City of Worcester, the sum of Forty one pounds nineteen shillings six pence three farthings.

The

The County of Wilts, the sum of One thousand four hundred eighty eight pounds nine shillings six pence half-penny.

The County of Westmorland, the sum of Eighty seven pounds fifteen shillings eight pence half-penny.

The Isle of Anglesea, the sum of Ninety five pounds two shillings two pence.

The County of Brecknock, the sum of Two hundred thirteen pounds sixteen shillings half-penny.

The County of Cardigan, the sum of Eighty pounds one shilling two pence farthing.

The County of Carmarthen, the sum of Two hundred and six pounds three shillings five pence half-penny.

The County of Carnarvan, the sum of One hundred and ten pounds eighteen shillings ten pence three farthings.

The County of Denbigh, the sum of One hundred sixty nine pounds three shillings three half-pence.

The County of Flint, the sum of Eighty nine pounds eighteen shillings eleven pence three farthings.

The County of Glamorgan, the sum of Two hundred eighty six pounds sixteen shillings three pence farthing.

The County of Merioneth, the sum of Seventy six pound five shillings eight pence three farthings.

The County of Mountgomery, Two hundred and nine pounds six shillings six pence.

The County of Pembroke, the sum of Two hundred forty seven pounds one shilling seven pence three farthings.

The County of Radnor, the sum of One hundred thirty one pounds eighteen shillings six pence three farthings.

The Town of Haverford-West, the sum of Eleven pound nine shillings seven pence.

And be it further Enacted by the Authority aforesaid, That all and every the persons who are nominated in and by the said former Act to be Commissioners of and for the several and respective Counties, Cities, Boroughs, Towns and places therein mentioned, shall likewise be, and so are hereby appointed to be Commissioners for execution of this present Act within the said several and respective Counties, Cities, Boroughs, Towns and places for which they were nominated in the aforesaid Act, and shall have and execute the like Powers and Authorities, Rules and Directions, touching the better Assessing, Collecting, Levying, Receiving, and Paying the said fifty two thousand fourscore and three pounds six shillings and eight pence by the moneth, during the said Twenty four moneths, as in and by the aforesaid Act were given to the said Commissioners, touching the better Assessing, Collecting, Levying, Receiving and Paying the said Threescore and eight thousand eight hundred and nineteen pounds and nine shillings by the moneth, payable as aforesaid: And all and every person or persons who shall be liable unto, or any wayes concerned or employed in the Assessing, Collecting, Levying, Receiving, or Paying any of the moneys by this Act imposed, shall have like benefits, advantages, and discharges, and shall be subject to like penalties and forfeitures, in case of any neglect or refusal to pay their respective Assessments, or to perform their respective Duties, as any other person or persons liable unto, or concerned or employed in the Assessing, Collecting, Levying, Receiving or Paying any of the moneys by the said former Act imposed, ought to have, or be subject unto, as full and amply as if the same Clauses, Matters and things had been in this Act particularly repeated and Enacted: To the end that the Monethly Assessments, which will remain due and payable by vertue of the said former Act, and the monethly Additions thereunto made by vertue of this present Act, may be duly answered and paid in as aforesaid.

The Commissioners as formerly.

They to proceed by the former Act.

And



Commissioners  
to meet.

Eight quarterly  
Payments.

Security for  
Money Lent  
upon this Act.

Auditors Books

Free access to  
them.

Tally for Money  
Lent.

Interest for the  
Money.

Remedy for the  
Money Lent.

And be it further Enacted, That the several Commissioners shall meet together at the most usual and common place of Hearing, as in the said Act is directed, on, or before the Tenth day of January next, to purthis Act, and the said former Act in execution, according to the best of their Judgments and Discretions; and shall then, if they see cause, subdivide themselves, as by the said Act is further directed concerning the said former Assessment: And further, That they meet at least three Weeks before each quarterly Payment of the said several Assessments for the purposes aforesaid; And that the said Eight quarterly Payments of Fifty two thousand fourscore and three pounds six shillings eight pence by the Moneth, amounting in each Quarter to the sum of One hundred fifty six thousand two hundred and fifty pounds, shall be Assessed, Collected, Levied, and paid to the Receiver of the several Counties appointed, or that shall be appointed by His Majesty, and by them answered and paid into His Majesties Exchequer, on the days and times mentioned and expressed in the said Act for Payment of the said first Assessment.

And to the intent that all Money to be lent to Your Majesty, and Moneys that shall be due upon such Contracts for Mares and Goods which shall be delivered for this service, may be well and sufficiently secured out of the Moneys arising and payable by this Act; Be it further Enacted by the Authority aforesaid, That there be provided and kept in His Majesties Exchequer (to wit) in the Office of the Auditor of the Receipt, one Book or Register, in which Book or Register, all Moneys that shall be paid into the Exchequer by this Act, shall be entered and registered apart and distinct from the Moneys paid or payable to Your Majesty on the before-mentioned Act, and from all other Moneys or Branches of Your Majesties Revenue whatsoever; And that also there be one other Book or Registry provided or kept in the said Office, of all Orders and Warrants to be made by the Lord Treasurer, and Under-Treasurer, or by the Commissioners of the Treasury for the time being, for payment of all and every Sum and sums of Money to all persons for Moneys Lent, Mares or Goods bought, or other payments directed by His Majesty relating to the service of His War; And that no Moneys leviable by this Act, be issued out of the Exchequer during this War, but by such such Order or Warrant, mentioning that the Moneys payable by such Order or Warrant, are for the service of Your Majesty in the said War respectively.

That also there be the like Book or Register provided and kept by the said Auditor of all Moneys paid out, or issued by virtue of such Orders and Warrants.

That it shall be lawful for any person or persons, willing to lend any Money, or to furnish any Mares, Aliquots, Necessaries, or Goods on the Credit of this Act, at the usual times when the Exchequer is open, to have access unto, and view, and peruse all, or any of the said Books for their Information of the state of those Moneys, and all Engagements upon them, for their better Encouragement to lend any Moneys, or furnish any Goods or Mares as aforesaid; And that the respective Officers and their Deputies, and Clerks, in whose custody such Books be, or shall be, shall be assistant to such persons for their better and speedier satisfaction in that behalf; That all and every person and persons who shall lend any Moneys to Your Majesty, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his repayment bearing the same Date with his Tally, in which Order shall be also a Warrant contained for payment of Interest for forbearance, after the rate of Six per Cent. per Annum, for his consideration, to be paid every Six months until the repayment of his Principal; And that all person and persons, who shall furnish Your Majesty, Your Officers of the Navy or Ordnance, with any Mares, Goods, Aliquots, or other necessities for the service aforesaid, shall upon Certificate of the Commissioners and Officers of the Navy, or of the Master or Commissioners and Officers of the Ordnance, or some of them, without delay forthwith have

have made out to them Warrants or Orders for the payment of the moneys due or payable unto them; which Certificates the said Officers of your Majesty, Commissioners and Officers of the Ordnance shall make without Fee, Charge, or Delay; And that all Orders for repayment of money lent, shall be Registered in course, according to the Date of the Tallies respectively; And that all Orders signed by the Lord Treasurer and under-Treasurer of the Exchequer, for payment of money for Goods, Wares, Victuals, and other necessities furnished to your Majesty, your Officers, Master, or Commissioners aforesaid, shall be Registered in course, according to the time of bringing to the Office of the Auditor of the Receipt, the Certificates above mentioned; And that all Orders so signed for payments directed by his Majesty, shall be entered in course according to their respective Dates, and none of the sorts of Orders above mentioned either for Loans of Moneys, Supplies of Wares, Goods, Victuals, or Necessaries, or by special direction, shall have preference one before another, but shall all be entered in their course according to the Dates of the Tallies, the times of bringing the Certificates, and the dates of the Orders for payments directed by his Majesty, as they are in point of time respectively before each other; And that all and every person and persons shall be paid in course according as their Orders shall stand entered in the said register-book, be it Orders for payments directed by his Majesty, or for moneys lent, or for Wares, Commodities, or other necessities furnished as aforesaid; so as that that person, his Executors, Administrators and Assigns, who shall have his warrant or order, Warrants or Orders first entered in the said Book of Registry, shall be taken and accounted as the first person to be paid upon the moneys to come in by virtue of this Act; and he or they that shall have his or their Warrants or Orders, Warrant or Order next entered, shall be taken and accounted the second person to be paid, and so successively and in course: And that the moneys to come in by this Act shall be in the same order liable to the satisfaction of the said respective parties, their Executors, Administrators or Assigns successively, without preference of one before another, and not otherwise: And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of your Majesties Subjects, for providing or making of such Books, Registers, Entries, View, Search, Certificate, in or for payment of money lent, or the interest thereof, or for payment of any money upon any Order, upon any Contract for Wares, and goods furnished to the use of your Majesties Majesty and Ordnance as aforesaid, by any of your Majesties Officer or Officers, their Deputies or Clerks, on pain of payment of treble damages to the party grieved, by the party offending, with costs of Suit; And if the Officer himself take or demand any such fee or Reward, then to lose his place also. And if any undue preference of one before another shall be made, either in point of Registering, contrary to the true meaning of this Act, by any such Officer or Officers, then the party offending shall be liable by Action of Debt or on the case, to pay the value of the Debt, Damages and Costs to the party grieved: And shall be forejudged from his Place or Office: And if such preference be unduely made by any his Deputy or Clerk without direction or privity of his Master, then such Deputy or Clerk only shall be liable to such action, Debt, Damages and Cost, and shall forever after be incapable of the same: And in case the Auditor shall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each persons due place and order as aforesaid directed, then he or they shall be judged to forfeit, and their respective Deputies and Clerks herein offending be liable to such Action, Debt, Damages, and Costs, in such manner as aforesaid.

Orders registered and paid in due course.

No Fees for Books.

Penalty to demand Fees.

Provided always, And it is hereby Declared, That if it happen that several Tallies of Loan, or Certificates for Wares Delivered, or Orders for Payments from his Majesty as aforesaid, bear date, or be brought the same

Tallies of the same date.

M

day



day to the Auditor of the Exchequer to be Registered; Then it shall be interpreted no undue preference which of these he enters, so he enter them all the same day.

Payments must  
be demanded in  
course.

Prohibited also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay subsequent Orders of persons that come to demand their money, and bring their Orders before other persons that did not come to demand their money, and bring their Order in their course; so as there be so much money reserved as will satisfy their Orders, which shall not be otherwise disposed; but kept for them, Interest upon Loan being to cease from the time the money is so reserved and kept in Bank for them.

Tallies assign-  
ed.

And be it further Enacted by the Authority aforesaid, That every person or persons to whom any money shall be due by virtue of this Act, after Warrant or Order entered for payment thereof, his Executors, Administrators or Assigns, by Indorsement of his Order or Warrant, may Assign and transfer his Interest and Benefit of such Warrant to any other; which being notified, and an Entry and Memorial thereof also made in the said Registry for Warrants, (which the Officers shall on request without Fee or Charge accordingly make) shall Intitle such Assignee his Executors, Administrators and Assigns to the benefit thereof, and payment thereon; And such Assignee may in like manner Assign again, and so toties quoties; and afterwards it shall not be in the power of such person or persons who have made such Assignments, to make void, release or discharge the same, or the Moneys thereby due, or any part thereof.

Loan of Mo-  
ny for a parti-  
cular Tax.

And in case any person or persons be willing to advance the Tax they themselves are to pay, or the Tax of any Tything, Hundred, Parish, Division, or County, for six moneths or more, unto the Receiver-general of that place, or County; The said Receiver-general is hereby authorized to receive the same, and to make deduction of so much for Interest, after the rate of Six per Centum per annum, as the Advance amounts unto, and the Receivers Acquittance shall be a sufficient Discharge for the same; which money so advanced, shall be accounted for, and paid into the Exchequer by it self Quarterly.

## CAP. II.

An Act for Restraining Non-Conformists from Inhabiting in Corporations.

Preamble.

**V**hereas divers Parsons, Vicars, Curates, Lecturers, and other persons in Holy Orders, have not declared their unfeigned assent and consent to the use of all things contained and prescribed in the Book of Common-Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England, or have not subscribed the Declaration or Acknowledgment contained in a certain Act of Parliament made in the Fourteenth year of His Majesties Reign, and Intituled, An Act for the Uniformity of Publick Prayers and Administration of Sacraments, and other Rites and Ceremonies, and for the Establishing the form of Making, Ordaining, and Consecrating of Bishops, Priests and Deacons in the Church of England, according to the said Act, or any other subsequent Act. And whereas they, or some of them, and divers other person and persons not Ordained according to the Form of the Church of England, and as have since the Act of Oblivion taken upon them to Preach in unlawfull Assemblies, Conventicles or Meetings, under colour or pretence of Exercise of Religion, contrary to the Laws and Statutes of this Kingdom, have settled themselves in divers Corporations in England, sometimes Three or more of them in a place, thereby taking an opportunity to disill the poplous Principles of Schism and Rebellion into the hearts of His Majesties Subjects, to the great danger of the Church and Kingdom:

Cap. 4.

Be

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That the said Parsons, Vicars, Curates, Lecturers, and other persons in holy Orders, or pretended holy Orders, or pretending to holy Orders, and all Stipendaries, and other persons who have been possessed of any Ecclesiastical or Spiritual Promotion, and every of them, who have not declared their unfeigned assent and consent as aforesaid, and subscribed the Declaration aforesaid, and shall not take and subscribe the Oath following.

These Parsons  
to take an Oath.

**I** A. B. do Swear, That it is not lawful upon any pretence whatsoever, to take Arms against the King; And that I do abhor that Traiterous Position of taking Arms by His Authority against His Person, or against those that are Commissionated by Him, in pursuance of such Commissions; And that I will not at any time endeavour any Alteration of Government, either in Church or State.

And all such person or persons as shall take upon them to Preach in any unlawful Assembly, Conventicle or Meeting, under colour or pretence of any Exercise of Religion, contrary to the Laws and Statutes of this Kingdom, shall not at any time from and after the five and twentieth day of March, which shall be in this present year of our Lord God, One thousand six hundred sixty and five, unless onely in passing upon the Road, come or be within five miles of any City or Town-Corporate, or Borough that sends Burgeffes to the Parliament, within His Majesties Kingdom of England, Principality of Wales, or of the Town of Berwick upon Tweed, or within five miles of any Parish, Town or place, wherein he or they have since the Act of Oblivion been Parson, Vicar, Curate, Stipendary or Lecturer, or taken upon them to Preach in any unlawful Assembly, Conventicle, or Meeting, under colour or pretence of any Exercise of Religion, contrary to the Laws and Statutes of this Kingdom, before he or they have taken and subscribed the Oath aforesaid, before the Justices of the Peace at their Quarter-Sessions to be holden for the County, Riding or Division next unto the said Corporation, City or Borough, Parish, Place or Town, in open Court (which said Oath the said Justices are hereby Impowered there to administer) upon forfeiture for every such offence, the sum of Fourty pounds of lawful English money; the one Third part thereof to His Majesty and His Successors; the other Third part to the use of the poor of the Parish where the offence shall be committed; and the other Third part thereof to such person or persons as shall or will sue for the same by Action of Debt, Plaint, Bill, or Information, in any Court of Record at Westminster, or before any Justices of Assize, Oyer and Terminer or Goal-delivery, or before any Justices of the Counties Palatine of Chester, Lancaster, or Durham, or the Justices of the great Sessions in Wales, or before any Justices of Peace in their Quarter-Sessions, wherein no Essoyn, Protection, or Wager of Law shall be allowed.

It is not to come  
within Five  
Miles of any  
Corporations

Penalty.

Provided always, and be it further Enacted by the Authority aforesaid, That it shall not be lawful for any person or persons restrained from coming to any City, Town-Corporate, Borough, Parish, Town or place, as aforesaid, or for any other person or persons as shall not first take and subscribe the said Oath, and as shall not frequent Divine Service established by the Laws of this Kingdom, and carry him or her self reverently, decently and orderly there, to Teach any Publick or Private School, or take any Boarders or Scholars that are Taught or Instructed by him or her self, or any other, upon pain for every such offence to forfeit the sum of Fourty pounds, to be recovered and distributed as aforesaid.

No Non-Con-  
formist to be  
School-Master



Imprisonment  
of Non-Con-  
formists.

Prohibited also, and be it further Enacted by the Authority aforesaid, That it shall be lawful for any two Justices of the Peace of the respective County, upon Oath to them of any offence against this Act, which Oath they are hereby Impowered to administer, to Commit the Offender for Six Moneths without Bail or Mainprise, unless upon or before such Commitment, he shall before the said Justices of the Peace, swear and subscribe the aforesaid Oath and Declaration.

Proviso for  
persons served  
with Process.

Prohibited always, That if any person intended to be Restrained by virtue of this Act, shall without fraud or cobin be served with any Writ, Subpoena, Warrant, or other Process, whereby his personal appearance is required, his obedience to such Writ, Subpoena or Process, shall not be construed an offence against this Act.

### CAP. III.

An Act for Uniting Churches in Cities and Towns Corporate.

Preamble.

As much as the settled Provision for Ministers in most Cities and Towns Corporate within this Realm, is not sufficient for the Maintenance of able Ministers fit for such places, whereby mean and Stipendary Preachers are entertained to serve the Cures there; who wholly depending for their Maintenance upon the good will and liking of their Auditors, have been, and are thereby under temptation of too much complying, and suiting their Doctrine and Teaching to the humour rather than good of their Auditors, which hath been a great occasion of Faction and Schism, and of the contempt of the Ministry: The Lords and Commons in Parliament Assembled, being deeply sensible of the ill consequence thereof, and piously desiring able Ministers in such places, and a competent settled Maintenance for them by the Union of Churches; which is also become necessary, by reason of the great Ruin of many Churches and Parishes in the late ill times, and otherwise: Do therefore most humbly beseech your most Excellent Majesty, That it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That in every City or Town Corporate and their Liberties within the Kingdom of England, and Dominion of Wales, which have a Mayor and Aldermen, and particular Justices of the Peace by Charter or Commission, or Bailiff or Bailiffs, or other Chief Officer or Officers, and other Assistants by like Charter, and where two or more Churches or Chappels, or a Church and a Chappel, and the Parishes thereunto belonging do lie within the said Corporation, or Liberties thereof, convenient to be united: In such cases the Bishop of the Diocels where such Parish and Parishes are, with the consent of the Mayor, Aldermen, and Justices of the Peace, Bailiff, or Bailiffs, or other Chief Officer or Officers, or the major part of them, and of the Patron or Patrons of such Church or Churches, Chappel or Chappels, shall or may according to due form of Law, unite the said Churches or Chappels, or Church and Chappel, or any of them, and shall appoint at which Church or Chappel, Churches or Chappels the said Parishioners and Inhabitants of the said Parishes or places to which the said Churches or Chappels, or Church and Chappel do belong, shall usually meet for the Worship of God, and which of the said Churches or Chappels, or Church or Chappel shall be united and annexed unto the other, which shall be the Church Presentative, unto which all Presentations shall thereafter be only made, and unto which the Parishioners shall resort as their proper Church. And after such Order made, the said Churches or Chappels, or Church and Chappel shall accordingly for ever stand united: And the Parishioners, Landholders, and Inhabitants of the said Parishes and places belonging to such Churches or Chappels, or Church and Chappel so united

The Bishops  
and Corpora-  
tions, and Pa-  
trons impow-  
ered herein.

Tithes to be  
paid.

united and annexed, shall, as they, or any of them become void, and from thence forward pay all such Tythes and other Duties as belong, or did belong to the Incumbent of any of the said Churches or Chappels, or Church and Chappel so united and annexed, unto the Incumbent of the said Presentative Church or Chappel, unto which the said other Churches or Chappels, or Church or Chappel shall be so united and annexed.

And it is hereby also Enacted, That notwithstanding any such Union to be made by vertue hereof, each of the Parishes so united, shall continue distinct, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Priviledges, Liberties and respects whatsoever, other then what is herein before mentioned and specified; And Churchwardens shall be elected and appointed for each Parish, as they were before such union made.

And it is further Enacted and Provided, That where one or more of the said Churches or Chappels, or Church and Chappel so united and annexed shall be full at the time of making such Union, That then the said Union shall take effect for every such Church or Chappel, upon the first Avoidance after such Union made: And that the several Patrons of the said Churches and Chappels so United, shall and may present by turns to that Church or Chappel which shall remain and be presentative from time to time, in such order as the said Bishop with the consent of the said Mayor, Aldermen, and Justices of Peace, Bayliff or Bayliffs, or other chief Officer or Officers within such Parishes, or the major part of them, and of the Patron or Patrons of such Church or Churches, Chappel or Chappels, shall determine and decree for the preservation of their respective Rights therein, respect being therein had to the difference of the values of the yearly Maintenance belonging to such Churches or Chappels, or any of them; Saving unto the Kings Majesty, His Heirs and Successors, all the Tenths and First-Fruits of all such Churches and Chappels so to be United, according to the Rates and Valuations at which the said Churches and Chappels are Rated and Valued in the Office of First-Fruits and Tenths, in His Majesties Court of Exchequer: And also reserving all Procurations and Pensions to all persons to whom they are now, and have been formerly, or shall be hereafter due and payable; Any thing herein contained notwithstanding.

Provided always, That no Union of Parishes or Places to be made by vertue of this Act, shall commence or be effectual in Law, until it be Registered in the Register Book of the Bishop of the Diocels, which the Register is hereby required to do.

Provided always, That no Union made by vertue hereof, shall be good and effectual where the settled Maintenance belonging to the Parson, Vicar and Incumbents of the Church or Chappel, or Churches or Chappels so United, shall exceed the sum of One hundred pounds per annum clear, and above all Charges and Repairs; unless the respective Parishioners, or the major part of them, under their hands desire otherwise.

Provided always, And be it Enacted, That every Minister settled as aforesaid the Incumbent of any Church or Chappel, or Churches or Chappels united according to this Act, shall be the full and lawful Incumbent thereof to all intents and purposes, so as such Minister be a Graduate in one of the Universities of this Kingdom.

And be it further Enacted by the Authority aforesaid, That every Owner or Proprietor, Owners or Proprietors of any Impropriation, Tythes, or Portion of Tythes, in any Parish or Chapelry within the Kingdom of England, or Dominion of Wales, is, are, and shall be by vertue of this Act, enabled and impowered to give or bestow, unite and annex the same, or any part thereof, unto the Parsonage or Vicarage of the said Parish Church or Chappel where the same do lie, or arise, or settle the same in Trust for the benefit of the said Parsonage or Vicarage, or of the Curate and Curates there successively, where the Parsonage is Impropriate, and no Vicar indowed

Parishes to remain yet distinct, quo ad &c.

When the Union shall begin.

Presentations.

First-Fruits.

Union registered.

No Union of 100 li. per annum.

Minister to be a Graduate.

Tythes impropriate may be given to Churches without Licence of Mortmain.



indowed according to his or their respective Estates, without any license of Mortmain, Any Law or Statute to the contrary notwithstanding.

Parson may  
Purchase Lands  
without such  
Licence.

And be it further Enacted, That if the settled Maintenance of such Parsonages, Vicarages, Churches and Chappels so united, or of any other Parsonage or Vicarage with Cure in the Kingdom of England, or Dominion of Wales, shall not amount to the full some of One hundred pounds per annum, clear and above all charges and reprises, That then it shall be lawful for the Parson, Vicar and Incumbent of the same, and his successors, to take, receive, and purchase to him and his successors, Lands, Tenements, Rents, Tythes, or other Hereditaments, without any License of Mortmain; Any Law or Statute to the contrary notwithstanding.

## CAP. IV.

An Act for continuance of a former Act for Regulating the Press.

**B**E it Enacted by the Kings most Excellent Majesty, by and with the advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, That an Act made in the Fourteenth year of the Reign of Our Soberaign Lord the King that now is, Entituled, An Act for preventing Abuses in Printing Seditious, Treasonable, and Unlicensed Books and Pamphlets, and for Regulating of Printing, and Printing Presses, shall be continued with the Alterations and Additions made in and by this Act, and shall remain in force untill the end of the First Session of the next Parliament.

Cap. 33.

And be it further Enacted, That from and after the Six and twentieth day of December, One thousand six hundred sixty and five, Every Printer within the City of London, or in any other place, except the Two Universities, shall reserve Three Printed Copies of the best and largest Paper, of every Book new Printed, or reprinted by him with Additions; and shall before any publick Vending of the said Book, bring them to the Master of the Company of Stationers, and deliver them to him, One whereof shall by the said Master of the said company of Stationers, within Ten dayes after he hath so received the same, be delivered to the Keeper of his Majesties Library, and the other two, within the said ten days, to be sent to the Vice-Chancellor of the two Universities respectively, for the use of the publick Libraries of the said Universities.

Universitie  
Printers, to  
give Books to  
Universities.

And it is further Enacted, That the Printers in the said Universities, and every of them respectively, from and after the said Six and twentieth day of December, shall deliver one such Printed Copy as aforesaid, of every Book so new Printed, or Reprinted in the said Universities, or in either of them, to the Keeper of his Majesties Library as aforesaid; as also to the Vice-Chancellor of either of the said Universities for the time being, two other such Printed Copies, for the use of the publick Libraries of the said Universities respectively. And if any of the Printers aforesaid, or the said Master of the Company of Stationers shall not observe the direction of this Act therein, That then he and they so making default, in not delivering the said Printed Copies as aforesaid, shall severally forfeit, besides the value of the said Printed Copies, the sum of Five pounds for every Copy not so delivered; as also the value of the said Printed Copies not so delivered: The same to be recovered by his Majesty, his Heirs and Successors, and by the Chancellor, Masters and Scholars of either of the said Universities respectively, by Action of Debt, Bill, Plaint or Information, in any of his Majesties Courts of Record at Westminster, wherein no Essoyn, Protection, or Wager of Law shall be allowed.

Penalty

Prohibited

## CAP. V.

An Act for Attainting Thomas Dolman, Joseph Bampfild, and Thomas Scott of High-Treason, if they render not themselves by a day.

**I**n all humble manner shew unto Your most Excellent Majesty, Your Majesties most Dutiful and Loyal Subjects the Lords Spiritual and Temporal, and Commons Assembled in Parliament, That whereas it is notoriously known that Thomas Dolman, Joseph Bampfild alias Stepner, and Thomas Scott son of Thomas Scott lately Executed as a most execrable Traitor, and one of the horrid and bloody murderers of His late Royal Majesty King Charles the first of ever blessed Memory, contrary to the duty of their Allegiance, have most Traiterously and wickedly adhered, and still do adhere to Your Majesties Enemies beyond the Seas, where they as yet remain and commit divers Treasonable acts, without any sense of Loyalty to Your Majesty, or of natural Affection to their native Countrey:

May it therefore please Your most excellent Majesty, That it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the consent and advice of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, That if the said Thomas Dolman, Joseph Bampfild, alias Stepner, and Thomas Scott, shall not return into the Realm of England, and render themselves to some or one of His Majesties Justices of the Peace for the County wherein he or they shall first arrive, at or before the first day of February next ensuing, and also abide their Legal Trial for such their Treasons; then every of them the said Thomas Dolman, Joseph Bampfild alias Stepner, and Thomas Scott, not rendring himself as aforesaid, or not abiding his Trial aforesaid, shall from and after the said first day of February, stand and be adjudged attainted of High-Treason, to all intents and purposes whatsoever, and shall suffer and forfeit as a person attaint of High-Treason by the Laws of the Land ought to suffer and forfeit.

And be it further Enacted by the Authority aforesaid, That all and every person and persons who now are, or hereafter shall be beyond the Seas, and whom His Majesty by any of His Royal Proclamations to be issued under the Great Seal of England, during the continuance of this War with the States of the United Provinces, shall name and require to return into England, and render themselves by a certain day therein to be mentioned, to some or one of His Majesties Justices of the Peace for the County wherein he or they shall first arrive, and shall not return and render themselves accordingly, and abide their legal Trial, shall from and after the day to them to be prefixed by such Proclamation, stand and be attainted of High-Treason to all intents and purposes, and shall suffer such pains and penalties, and undergo all such forfeitures as persons attainted of High-Treason ought to do.

Provided, That the time to be prefixed by such Proclamation for the persons therein to be named to render themselves, be not less then the time and term of three Calendar moneths, from and after the Date of such Proclamation.

And be it further Declared and Enacted by the Authority aforesaid, That all and every His Majesties Subjects, who from and after the first day of February next ensuing, shall at any time during the continuance of the said War, serve the States of the United Provinces, either by Land or Sea, as a Souldier or Seaman on this side the Straights; or from and after the first day of May, in the year of our Lord One thousand six hundred sixty and six, within the Straights; or from and after the first day of August, in the said year One thousand six hundred sixty six, in Africa or America, or any where beyond the Straights, on this side the Equinoctial; or from and after the first day of February, in the said year One thousand six hundred sixty six, in the East-Indies, or any part beyond the Equinoctial, shall be, and are hereby Attainted of High-Treason, and shall suffer and forfeit to all intents and purposes, as persons attainted of High-Treason ought to do.

Persons not  
rendring them-  
selves upon Pro-  
clamation made  
Traitors.

The time to  
render them-  
selves.

Adherers to  
Forein Ene-  
mies made  
Traitors.

CAP.



## CAP. VI.

An Act for taking away of Damage Cleer.

Preamble.

Greivance.

To cease, Sep.  
1672.Penalty for tak-  
ing it.Remedy for it,  
Interim.

**V**hereas the Boneyes which are taken by Prothonotaries of Your Majesties Courts of Kings Bench and Common Pleas, and by the Clerk of Your Majesties Court of Exchequer at Westminster, and the Prothonotary of Your Majesties Court of Common Pleas at Lancaster, and the Prothonotaries and Clerks of other Your Majesties Courts within the Realm of England, and Dominion of Wales, in the name of Damna Clericorum, or Damage Cleer, are an unnecessary charge and burden to all Your Majesties Subjects, who have good cause, and are put to sue for Damages in Actions where Damages are recoverable.

For avoiding of which inconveniencies for the future, and that Your Majesties Subjects may have an easier means for the recovery of their damages, and just rights, which are unjustly detained from them: May it please Your most Excellent Majesty that it may be Enacted; And the Kings most Excellent Majesty being willing upon all occasions to ease His Subjects of all unnecessary charges and burdens, is graciously pleased, That it be Enacted, And be it Enacted by the Kings most Excellent Majesty, with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That immediately from and after the Twenty ninth day of September, which shall be in the year of our Lord, One thousand six hundred seventy two, no Damage Cleer shall by any Title or Pretext whatsoever, be due, payable, taken or received from any person or persons in any Action whatsoever, sued or prosecuted in any of His Majesties Courts at Westminster, or elsewhere within the Kingdom of England, or Dominion of Wales, by any Prothonotary, Clerk or Clerks, or other Officer or Officers of the said Courts respectively: And that from and after the day and year aforesaid, the said Fee of Damna Clericorum, or Damage Cleer, shall wholly cease, and be for ever abolished in the said Courts; And that if any Prothonotary, Clerk or Clerks, or other Officer in any of the said Courts, shall take or exact any sum or sums of Money in the name of Damna Clericorum, or Damage Cleere, or any thing in lieu thereof, after the day and year above mentioned: Or if any of the said Prothonotaries, Clerk or Clerks, or their Deputies, at any time before the said Twenty ninth day of September in the year aforesaid, shall exact or take any Damage Cleere, or sum of Money, Bond or Security in lieu thereof, from any Plaintiff or Plaintiffs, Demandant or Demandants, in any Action where Damages have been, or hereafter shall be recovered in any of the said Courts, or shall refuse or delay to Sign any Judgment, untill Damage Cleer be first paid by the Plaintiff or Demandant (which are not to be paid, unless forth of the Boneyes levied from, or paid by the Defendants, as is herein after provided and mentioned) He or they so offending, shall forfeit treble the sum so taken, exacted or demanded, to the party or parties grieved, to be recovered by Bill, Plaint or Information in any of the said Courts, wherein no Esloyn, Protection, or Wager of Law shall be allowed.

Provided, and be it further Enacted, That untill the Nine and twentieth day of September, which shall be in the year of our Lord God, One thousand six hundred seventy and two, and no longer, The Damage Cleere shall be paid, answered, and allowed out of such sum and sums of Money onely as shall be actually levied, or otherwise paid by or from the Defendants; and onely for the proportion of the sum and sums of money which shall be so levied, or otherwise paid as aforesaid, and no more or otherwise.

CAP.

## C A P. VII.

An Act for a more speedy and effectual Proceeding upon Distresses and Avowries for Rents.

Forasmuch as the ordinary Remedy for Arrearages of Rents, is by Distress upon the Lands chargeable therewith; And yet nevertheless by reason of the intricate and dilatory Proceedings upon Replevins, that Remedy is become ineffectual:

For remedy thereof, It is Enacted by the Kings most Excellent Majesty, with the Advice and Assent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That whosoever any Plaintiff in Replevin shall be Non-suit before Issue joyned in any Suit of Replevin, by Plaint or Writ lawfully returned, removed, or depending in any of the Kings Courts at Westminster, That the Defendant making a Suggestion in nature of an Abowry or Cognizance for such Rent, to ascertain the Court of the cause of Distress; The Court upon his Prayer shall award a Writ to the Sheriff of the County where the Distress was taken, to enquire by the Oaths of Twelve good and lawful men of his Bayliwick, touching the Sum in Arrear at the time of such Distress taken, and the value of the Goods or Cattel distrained; And thereupon notice of Fifteen days shall be given to the Plaintiff or his Attorney in Court, of the sitting of such Enquiry; and thereupon the Sheriff shall enquire of the truth of the matters contained in such Writ, by the Oaths of Twelve good and lawful men of his County; and upon the Return of such Inquisition, the Defendant shall have Judgment to recover against the Plaintiff the Arrearages of such Rent, in case the Goods or Cattel distrained shall amount unto that value; And in case they shall not amount to that value, then so much as the value of the said Goods and Cattel so distrained shall amount unto, together with his full Costs of Suit, and shall have Execution thereupon by Fieri facias, or Elegit, or otherwise as the Law shall require.

Remedy upon a Non-suit before Issue.

Inquiry of damages.

Execution.

And in case such Plaintiff shall be Non-suit after Conusance or Abowry made, and Issue joyned, or if the Verdict shall be given against such Plaintiff; then the Jurors that are Impannelled or Returned to inquire of such Issue, shall at the Prayer of the Defendant inquire concerning the Sum of the Arrears, and the value of the Goods or Cattel distrained; And thereupon the Abowant, or he that makes Conusance shall have Judgment for such Arrearages, or so much thereof as the Goods or Cattel distrained amounts unto, together with his full Costs, and shall have Execution for the same by Fieri facias, or Elegit, or otherwise, as the Law shall require.

Remedy after Issue.

And be it further Enacted by the Authority aforesaid, That if Judgment in any of the Courts aforesaid be given upon Demurrer for the Abowant, or him that maketh Conusance for any Rent, the Court shall at the Prayer of the Defendant award a Writ to inquire of the value of such Distress; and upon the Return thereof Judgment shall be given for the Abowant, or him that makes Conusance as aforesaid, for the Arrears alleged to be behind in such Abowry or Conusance, if the Goods or Cattel so distrained shall amount to that value: And in case they shall not amount to that value, then for so much as the said Goods or Cattel so distrained amount unto, together with his full Costs of Suit, and shall have like Execution as aforesaid.

Remedy after Demurrer.

Provided always, and be it Enacted, That in all Cases aforesaid, where the value of the Cattel distrained as aforesaid, shall not be found to be to

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the



the full value of the Arrears Distrained for, that the party to whom such Arrears were due, his Executors or Administrators may from time to time Distrain again for the Residue of the said Arrears.

## C A P. VIII.

An Act for avoiding unnecessary Suits and Delays.

Death after  
Verdict.

Administrator  
de bonis non,  
&c.

**F**OR the avoiding of unnecessary Suits and Delays, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That in all Actions Personal and Real, or mixt, the death of either party between the Verdict and the Judgment, shall not hereafter be alledged for Error; so as such Judgment be entered within Two Terms after such Verdict.

And be it further Enacted by the Authority aforesaid, where any Judgment after a Verdict shall be had, by or in the Name of any Executor or Administrator; In such case an Administrator de bonis non may sue forth a Scire facias, and take Execution upon such Judgment.

This Act to continue for the space of five years, and from thence to the end of the next Session of Parliament.

## C A P. IX.

An Act for granting One Moneths Assesment to His Majesty.

Preamble.

Insignia Du-  
cis Ebor.

Given to the  
Duke.

**W**HE Your Majesty's most Dutiful and Loyal Subjects, the Commons Assembled in Parliament, taking notice of that Heroick Courage with which Your Majesty's Royal Brother exposed his own Person for the Defence of Your Majesty and your People, against the Dutch Fleet, and of the glorious Victory, through the blessing of Almighty God, by him obtained, are humble Suiters unto Your Majesty, That we may have leave to make some expressions of our humble Thanks to his Royal Highness for the same; and for this end Your Majesty would graciously please to accept from us Your Loyal Subjects, the sum of money herein after mentioned, and to bestow the same upon Your Majesty's Royal Brother.

Wherefore we Your Majesty's said Dutiful and Loyal Subjects, have given and granted, and by these presents do give and grant unto Your most Excellent Majesty, (whom God long preserve) The sum of One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence, to be Raised and Levied in manner following: (That is to say)

16, 17 Car. 2.  
Cap. 1.

Whereas in and by a certain Act lately passed, for granting a Royal Aid unto his Majesty, of Twenty four hundred threescore and seventeen thousand and five hundred pounds, to be Raised, Levied, and paid within the space of Three years, It was amongst other things Enacted, That the sum of Threescore and eight thousand eight hundred and nineteen pounds and nine shillings by the Year, for Thirty six Months, beginning from the five and twentieth day of December, One thousand six hundred sixty four, should be Assessed, Taxed, Levied, and paid, by Twelve Quarterly Payments in the several Counties, Cities, Burroughs, Towns, and Places within England and Wales, and the Town of Berwick upon Tweed, according to the Rates and Proportions therein expressed.

Cap. 1.

And whereas in and by another Act passed in this present Session of Parliament, It is further Enacted, That the sum of Fifty two thousand four score and three pounds six shillings eight pence by the Year, for Twenty four

four Moneths, beginning from the fife and twentieth day of December, One thousand fix hundred fixty fife, shall be likewise Assessed, Taxed, Collected, Levied, and paid by eight Quarterly payments, in the several Cities, Burroughs, Towns, and Places within England and Wales, and the Town of Berwick upon Tweed, ober and above the said sum of Threescore and eight thousand eight hundred and nineteen pounds and nine shillings, as an addition to, and increase of the same Monethly Assessment; Both which Sums together amount unto the sum of One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence by the Moneth.

120502 li.  
15 s. 8 d.

It is now further Enacted by the Kings most Excellent Majesty, and by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, That the sum of One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence for one Moneths Assessment more, beginning upon the Six and twentieth day of December, One thousand fix hundred fixty seven, and ending upon the Six and twentieth day of January in the same year, shall be Assessed, Taxed, Collected, Levied, and paid in the several Counties, Cities, Burroughs, Towns, and Places within England and Wales, and the Town of Berwick upon Tweed, according to the Rates and Proportions following, That is to say,

**F**or the County of Bedford, the sum of One thousand fife hundred seveny and fife pounds twelve shillings six pence farthing. Rates of Counties.

For the County of Berks, the sum of One thousand nine hundred eighty nine pounds four shillings nine pence three farthings.

The County of Bucks, the sum of two thousand three hundred and ten pounds, fourteen shillings and three pence.

The County of Cambridge, the sum of One thousand seven hundred ninety and one pounds eighteen shillings three half-pence.

The Isle of Ely, the sum of Six hundred and fourteen pounds thirteen shillings and nine pence.

The County of Chester, with the City and County of the City of Chester, the sum of One thousand four hundred and seven pounds thirteen shillings and one peny.

The County of Cornwall, the sum of Two thousand seven hundred and seven pounds seven pence farthing.

The County of Cumberland, the sum of Two hundred ninety and fife pounds thirteen shillings four pence farthing.

The County of Derby, the sum of One thousand fife hundred and fifteen pounds one shilling and three pence three farthings.

The County of Devon, the sum of Fife thousand six hundred seveny and four pounds fife shillings eleven pence farthing.

The City and County of the City of Exon, the sum of Two hundred and four pounds eight shillings six pence half-peny.

The County of Dorset, the sum of Two thousand three hundred sixty and two pounds two pence half-peny.

The Town and County of Pool, the sum of Nineteen pounds fife shillings eleven pence farthing.

The County of Durham, the sum of fife hundred sixty and eight pounds eighteen shillings two pence farthing.

The County of York, with the City and County of the City of York, and Town of Kingston upon Hall, the sum of Six thousand ninety and four pounds thirteen shillings nine pence three farthings.

The County of Essex, the sum of Fife thousand four hundred forty and three pounds four shillings eleven pence three farthings.

The County of Gloucester, the sum of Three thousand one hundred

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seveny



seventy and seven pounds two shillings nine pence farthing.

The City and County of the City of Gloucester, the sum of Sixty and nine pounds four shillings three pence farthing.

The County of Hereford, the sum of One thousand nine hundred eighty and eight pounds one shilling five pence three farthings.

The County of Hertford, the sum of Two thousand three hundred sixty and four pounds five shillings and eight pence half-penny.

The County of Huntington, the sum of One thousand one hundred and thirteen pounds five shillings and six pence.

The County of Kent, with the City and County of the City of Canterbury, the sum of Five thousand eight hundred forty and four pounds thirteen shillings two pence half-penny.

The County of Lancaster, the sum of One thousand seven hundred sixty and eight pounds nine shillings and ten pence half-penny.

The County of Leicester, the sum of One thousand nine hundred and five pounds eleven shillings and nine pence three farthings.

The County of Lincoln, with the City and County of the City of Lincoln, the sum of Four thousand five hundred twenty and three pounds seventeen shillings and two pence farthing.

The City of London, with the Liberty of St. Martins Le Grand, the sum of Eight thousand nine hundred forty and four pounds fourteen shillings two pence three farthings.

The County of Middlesex, with the City and Liberty of Westminster, the sum of Three thousand nine hundred thirty and six pounds and ten pence.

The County of Monmouth, the sum of six hundred eighty and five pounds two shillings nine pence three farthings.

The County of Northampton, the sum of Two thousand four hundred eighty and three pounds eighteen shillings three pence farthing.

The County of Nottingham, with the Town and County of the Town of Nottingham, the sum of One thousand five hundred thirty and four pounds ten shillings two pence half-penny.

The County of Norfolk, the sum of five thousand nine hundred twenty and one pounds seven shillings four pence farthing.

The City and County of the City of Norwich, the sum of Three hundred and sixteen pounds four shillings four pence farthing.

The County of Northumberland, with the Towns of Newcastle, and Berwick upon Tweed, the sum of Six hundred fifty and four pounds seventeen shillings eleven pence farthing.

The County of Oxon, the sum of One thousand nine hundred ninety and four pounds seventeen shillings four pence farthing.

The County of Rutland, the sum of Four hundred twenty and two pounds eight shillings one penny farthing.

The County of Salop, the sum of Two thousand one hundred and fourteen pounds twelve shillings eight pence farthing.

The County of Stafford, the sum of One thousand four hundred ninety and seven pounds fifteen shillings nine pence half-penny.

The City and County of the City of Lichfield, the sum of Two and twenty pounds sixteen shillings nine pence farthing.

The County of Somerset, the sum of Four thousand eight hundred sixty and eight pounds eighteen shillings ten pence three farthings.

The City and County of the City of Bristol, the sum of Three hundred and fifty pounds six shillings six pence farthing.

The County of Southampton, with the Town and County of Southampton, and Isle of Wight, the sum of Three thousand eight hundred forty and six pounds six shillings and seven pence.

The County of Suffolk, the sum of Five thousand seven hundred ninety

ninety and four pounds fifteen shillings three pence farthing.

The County of Surrey, with the Burrough of Southwark, the sum of Two thousand eight hundred and five pounds eleven shillings six pence half-penny.

The County of Sussex, the sum of Three thousand one hundred ninety and nine pounds fifteen shillings one penny three farthings.

The County of Warwick, with the City and County of the City of Coventry, the sum of Two thousand ninety and four pounds fifteen shillings eleven pence.

The County of Worcester, the sum of One thousand eight hundred fifty and one pounds ten shillings ten pence.

The City and County of the City of Worcester, the sum of Ninety seven pounds nine shillings and three farthings.

The County of Wilts, the sum of Three thousand four hundred fifty and five pounds seven shillings one penny half-penny.

The County of Westmorland, the sum of Two hundred and three pounds fifteen shillings eight pence half-penny.

The Isle of Anglesea, the sum of Two hundred and twenty pounds fifteen shillings and ten pence.

The County of Brecknock, the sum of Four hundred ninety six pounds six shillings six pence.

The County of Cardigan, the sum of One hundred eighty five pounds sixteen shillings eleven pence three farthings.

The County of Carmarthen, the sum of Four hundred seventy eight pounds ten shillings three half-pence.

The County of Carnarvan, the sum of Two hundred fifty and seven pounds eleven shillings three farthings.

The County of Denbigh, the sum of Three hundred ninety and two pounds thirteen shillings eight pence half-penny.

The County of Flint, the sum of Two hundred and eight pounds sixteen shillings three pence three farthings.

The County of Glamorgan, the sum of Six hundred sixty and five pounds fourteen shillings one penny three farthings.

The County of Merioneth, the sum of One hundred seventy and seven pounds one shillings and nine pence three farthings.

The County of Mountgomery, the sum of Four hundred eighty and five pounds eighteen shillings and eight pence.

The County of Pembroke, the sum of Five hundred seventy and three pounds eleven shillings seven pence three farthings.

The County of Radnor, the sum of Three hundred and six pounds five shillings two pence three farthings.

The Town of Haverford-West, the sum of Twenty and six pounds thirteen shillings.

And be it further Enacted, That all and every the persons who are appointed to act as Commissioners for execution of the said former Act, shall likewise be, and so are hereby constituted and appointed to be Commissioners for the execution of this present Act, within the several and respective Counties, Cities, Burroughs, Towns, and Places for which they were formerly appointed, and shall have and execute like Powers and Authorities, Rules and Directions touching the better Assessing, Collecting, Levying, Receiving, and paying the said One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence: And all and every person or persons who shall be liable to, or any ways concerned or imployed in the Assessing, Collecting, Levying, Receiving, or paying any of the moneys by this Act Imposed, shall have like Benefits, Advantages, and Discharges, and shall be subject to like Penalties and Forfeitures in case of any neglect or refusal to pay their respective Assessment, or to perform their respective Duties, as any other person or persons

Former Commissioners.

persons



persons liable unto, or concerned, or employed in the Assessing, Collecting, Levying, Receiving, or paying any of the said former Assessments, ought to have, or be subject unto, as fully and amply as if all and every the Clauses, Matters, and Things to the said former Assessments relating, had been again in this Act repeated and Enacted.

They to meet.

And be it further Enacted, That the several Commissioners shall meet together at the most usual and common place of Meeting, upon or before the Tenth day of January, One thousand six hundred sixty seven, to put this Act in execution; And that the said One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence, shall be Assessed, Collected, Levied, and paid unto the Receiver of the several Counties appointed, or to be appointed by His Majesty, and by them answered and paid into His Majesty's Exchequer, upon or before the Fifteenth day of February, One thousand six hundred sixty and seven.

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ANNO

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A N N O XVIII.  
**Caroli II. Regis.**

At the Session of the same PARLIAMENT, by divers Prorogations held at *Westminster*, the Eighteenth day of *September*, in the Eighteenth Year of our said Lord the King, *An. Dom. 1666*, and there continued unto the Eighth day of *February*, and thence Prorogued to the Tenth day of *October* then next following.

C A P. I.

An Act for Raising Moneys by a Poll, and otherwise, towards the Maintenance of the present War.



Most Gracious Soberaign, We Your Majesty's most Obedient and Loyal Subjects, the Commons now in Parliament Assembled, having taken into our serious Consideration the many and urgent Occasions which at this time do press Your Majesty to an extraordinary Expence of Treasure for the Defence of Your Majesty's Kingdoms and Dominions, and in most thankful acknowledgment of Your Majesty's just and tender Care of the Welfare of Your People, Do most humbly present unto Your Majesty a free Gift of several Sums of Money, towards the carrying on of the present War, to be Levied in such manner as is hereafter expressed, and do beseech Your Majesty to accept thereof; And that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by the Authority of the same, That all and every person and persons, Bodies Politick and Corporate, Guilds or Fraternities within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, having any personal Estate, in such Debts owing to them within the Realm or without, which he or they do not account and esteem as desperate, over and besides such just Debts as he, she, or they shall bona fide owe, or in ready moneys; shall yield and pay unto His Majesty for every Hundred pounds, in such Debts and ready Moneys, the sum of Twenty shillings to be assessed, imposed, levied, and collected in manner herein after mentioned.

Tax for debts.

Provided always, That no sum of money which hath been lent unto His Majesty upon the Security of the Act passed at Oxford, in the Seventeenth year of His Majesties Reign, Entituled, An Act for granting the sum of Twelve hundred and fifty thousand pounds to the Kings Majesty for his present further Supply; Or lent by the City of London upon the Security of His Majesty's Revenue arising by Hearth-money, at the rate of Six per Cent. and which at the time of the execution of this present Act shall be unpaid; nor any sum of money which shall be lent unto His Majesty upon the Security of this present Act, or upon the Security of any other Act of Parliament passed, or to be passed during this present Session of Parliament, at the rate of Six per Cent. shall be rated or assessed by vertue of this Act; Any thing herein contained to the contrary notwithstanding.

Money lent to the King excepted.  
 17 Car. 2.  
 Cap. 1.

And



Tax for Offices.

And be it further Enacted by the Authority aforesaid, That all and every person and persons Commissioner or Commissioners, having, using, or exercising any Office, Place, or Publick Employment whatsoever, (such persons who are or shall be in Wager and Pay at Land or Sea only excepted) and all and every their Deputies, Agents, Clerks, Secondaries, Substitutes, and other their inferior Ministers and Servants whatsoever, who are already Taxed in and to the said Monethly Assessment, for and in respect of their Offices, Agencies, and Employments, shall likewise pay unto His Majesty over and above the feveral sums with which they are or shall be charged in or to the said Monethly Assessment, the sum of Twelve pence for every Twenty shillings which he or they do receive in one year by vertue of any Fees, Profits, Perquisites, or other Advantages to him or them accruing, or by reason or occasion of their feveral Offices, Agencies, and Employments. And such who are not already Taxed in and by the said Monethly Assessment, for and in respect of their Commissions, Offices, Agencies, and Employments, shall yield and pay unto His Majesty the full sum of Three shillings for every Twenty shillings which he or they do receive in one year by vertue of any Fees, Profits, Perquisites, or other advantages to him or them accruing, or by reason or occasion of their feveral and respective Commissions, Offices, Agencies, and Employments: The said feveral sums of Twelve pence in every Twenty shillings, and Three shillings in every Twenty shillings, to be Assessed, Imposed, Levied, and Collected in such manner as is herein after mentioned: Allowing to every such Officer and Commissioner, one Third part of the Annual Salary or Sum of money he shall so receive, for and towards his or their charge of executing any such Commission, Office, or Place before mentioned.

Tax upon Annuities and Pensions.

And be it further Enacted by the Authority aforesaid, That all and every other person and persons having, or claiming to have any Pension or yearly Stipend or Annuity by vertue of any Gift or Grant from His Majesty under His Great Seal or Privy Seal, shall pay unto His Majesty the sum of Three shillings for every Twenty shillings by the year, so given or granted as aforesaid, to be Assessed, Imposed, Levied, and Collected in such manner as is herein after mentioned.

Serjeants at Law, Counsellors, Attorneys, Solicitors, Advocates, Proctors, Notaries.

And be it further Enacted by the Authority aforesaid, That all Serjeants at Law, Counsellors, Attorneys, Solicitors, and Scriveners, and all Advocates, Proctors, and publick Notaries, and all and every person and persons practising the Art of Physick, shall pay unto His Majesty the sum of Two shillings for every Twenty shillings which he or they do receive by his and their respective Practices and Professions in one year, allowing to every such person and persons of the feveral Professions aforesaid, one Third part out of such moneys as he or they shall so receive in their respective Practice and Professions, for and towards the charge and expence occasioned by his or their attendance upon his or their Practice or Professions aforesaid.

Servants receiving Wages.

And all and every Servant, which at the time of the execution of this Act shall receive Wages for his, her, or their Service, shall pay unto His Majesty the sum of Twelve pence for every Twenty shillings by the year, which shall be due or payable, to him, her, or them, for his, her, or their Wages, except for Board-wages.

Every one to pay Twelve pence.

And all and every person and persons shall pay unto His Majesty the sum of Twelve pence over and above the other Rates charged upon them by this Act.

Masters to pay for their Servants.

And be it further Enacted, That in case any Servant shall upon the demand of such Assessment or Moneys as are due from him or her by vertue of this Act, refuse or neglect to pay the same to the respective Collector; in such case, his or her Master or Mistress shall pay such Servants Assessment; And it shall then be lawful for such Master or Mistress to deduct and stop the same out of such Wages as shall or ought to be next paid

paid unto such Serbant; Any Law or Custom to the contrary notwithstanding.

Prohibited always, That no person who receives Alms from the Parish, nor the Children of any person remaining in his or her Family, who by reason of their poverty doth not contribute to the Rates for the Church and Poor, and who are under the age of Sixteen years, shall be charged or taxed by vertue of this present Act.

Poor Men and Children.

Prohibited also, and be it Enacted, That every Alien-Stranger born out of this Kingdom, shall pay double the Sum which he or they ought to have paid in any capacity whatsoever in this Act mentioned, in case he or they had been natural born Subjects.

Aliens pay double.

And be it further Enacted and Ordained, That all and every person and persons who at the time of the execution of this Act, shall be of the several Ranks and Degrees hereafter mentioned, shall to the purpose aforesaid, contribute and pay the several sums of money hereafter in this Act set down and appointed: That is to say, Every person of the Degree of a Duke of England, Scotland, or Ireland, inhabiting and residing within this Kingdom, shall pay the sum of Fifty pounds; Every person of the Degree of a Marquess of any of the said three Kingdoms, inhabiting and residing within this Kingdom, shall pay the sum of Forty pounds; Every person of the Degree of an Earl of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, the sum of Thirty pounds; Every person of the Degree of a Viscount of any of the said three Kingdoms, and inhabiting and residing within this Kingdom, the sum of Twenty five pounds; Every person of the Degree of a Baron of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, the sum of Twenty pounds; Every eldest Son of a Duke of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, being of the age of One and twenty years, the sum of Thirty pounds; Every eldest Son of a Marquess of any of the said three Kingdoms, and inhabiting and residing within this Kingdom, being of the age of One and twenty years, the sum of Twenty five pounds; Every eldest Son of an Earl of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, being of the age of One and twenty years, the sum of Twenty pounds; Every eldest Son of a Viscount of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, being of the age of One and twenty years, the sum of Seventeen pounds ten shillings; Every eldest Son of a Baron of any of the said three Kingdoms, and inhabiting or residing within this Kingdom, being of the age of One and twenty years, Fifteen pounds; Every person of the Degree of a Baronet of any of the said three Kingdoms, or of Nova Scotia, and inhabiting or residing within this Kingdom, the sum of Fifteen pounds; Every person that is a Knight of the Order of the Bath, inhabiting or residing within this Kingdom, the sum of Fifteen pounds; Every person who is a Knight-Bachelor, inhabiting or residing within this Kingdom, the sum of Ten pounds; Every Serjeant at Law, the sum of Ten pounds; Every person of the Degree of an Esquire, or so reputed, inhabiting or residing within this Kingdom, and above the age of One and twenty years, the sum of Five pounds; Every Widow respectively according to her Husbands Degree, shall pay the Third part rated by this Act, upon that Degree of which the Husband of such Wife was in his life-time: And every Gentleman, or reputed Gentleman, above the age of Sixteen years, the sum of Twenty shillings.

Titles of Honour and Worthship.

Duke.

Marquess.

Earle.

Viscount.

Baron.

Their eldest Sons.

Baronets.

Knight of the Bath.

Knight-Bachelor.

Serjeants at Law.

Esquires.

Widows.

Gentlemen worth 300<sup>l</sup>.

Prohibited always, That every Gentleman having an Estate of the value of three hundred pounds or more, shall be charged with the sum of Twenty shillings by vertue of this Act, though he be a Minor under the age of One and twenty years: And no Gentleman not having such an Estate, and shall thereof make Oath before any two or more of the respective Commissioners, shall be charged with the said sum of Twenty shillings, in respect of his Title.

S

And



Ecclesiastical  
Dignities taxed.

And be it further Enacted and Ordained, That all and every the person and persons within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, who at the time of the execution of this Act shall be of the several Orders, Ranks, or Degrees hereafter mentioned, shall to the purpose aforesaid, pay the several sums of money hereafter in this Act set down and appointed, (that is to say) Every person of the Order and Degree of an Archbishop, shall pay the sum of Fifty pounds; Every person of the Order and Degree of a Bishop, the sum of Twenty pounds; Every person of the Degree of a Dean of any Cathedral or Collegiate Church, shall pay the sum of Ten pounds; Every person of the Degree of an Archdeacon, shall pay the sum of Forty shillings; Every person of the Degree of a Canon, or Prebendary of any Cathedral or Collegiate Church, excepting such sole Prebendary, who is a sole Corporation, and his Prebend not Rated in the Exchequer at above Thirty pounds, shall pay the sum of Fifty shillings; Every person of the Degree of a Doctor in Divinity, Law or Physick, shall pay the sum of Five pounds.

Doctors of Law  
and Physick.

Doctors not  
Beneficed, and  
Ministers Wi-  
dows excepted.

Provided alwayes, That no Doctor of Divinity, not having any Benefice or Ecclesiastical preferment, shall be charged for his Title or Dignity of Doctor, by vertue of this Act, nor the Widow of any Ecclesiastical person shall be charged for the third part, according to the Title or Dignity of her late Husband.

The Commissi-  
oners as in the  
Act for the  
Royal aid.

And be it further Enacted by the Authority aforesaid, That for the better Assessing, Ordering and Levying of the several sums of money so as aforesaid limited and appointed to be paid; and for the more effectual putting of this present Act in execution, such persons shall by vertue of this Act be Commissioners for the several and respective Counties, Cities, Boroughs, Towns and Places within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, as are nominated and appointed Commissioners for putting in execution the Powers in a former Act of this Parliament, Entituled, An Act for granting a Royal Aid unto the Kings Majesty of Twenty four hundred threescore and seventeen thousand and five hundred pounds, to be raised, levied and paid in the space of Three years.

Other Com-  
missioners ad-  
ded.

And be it further Declared and Enacted by the Authority aforesaid, That these persons hereafter named, shall be added Commissioners for the several Counties, Places and Precincts respectively, and shall exercise the same power as if they had been named in the said former Act, viz.

#### Bedford.

For the County of Bedford, Villiers Charnock, Humphrey Monox, John Beecher, Thomas Daniel, John Gardiner, Esquires, Horne, Peter Harman Gent.

#### Berks.

For the County of Berks, Sir William Craven Knight, John Kingmill Esquire, John Wihtwick, Edward Keat, Charles Fettiplace, William Bowles senior, Esquires; John Munday, William Packer, Richard Houfe, Gent. Gilly Esquire, Hugh Barker Doctor of Physick.

#### Bucks.

For the County of Bucks, Sir Charles Clever Knight, Sir Timothy Tyrrel Knight and Baronet, Sir Frederick Hyde, Thomas Catesby, Edward Stafford, Esquires; Matthew Archdel Gent. Sir John Busby. For the Town of Buckingham, George Robbins.

#### Cambridge.

For the County of Cambridge, Sir John Jacob Baronet, Sir Ralph Bovey Baronet

**Baronet, Roger Pepys Esq. Gerrard Russel Esq. For the Town of Cambridge,**  
Rowland Simpson Alderman.

**Ely.**

**For the Isle of Ely, William Legat, Anthony Fisher, Peter Diamond, Esquires.**

**Chester.**

**For the City and County of the City of Chester, Thomas Cooper Alderman,**  
Edward Bradshaw Esq. Richard Burd Alderman, Richard Minshal, Richard Taylor,  
John Poolie, Robert Harvy, Aldermen.

**Cornwal.**

**For the County of Cornwall, John Trelawney of Trelawen, Thomas Vivian,**  
John Moulesworth, Esquires, William Inch, Abel French, Nicholas Trebarfoot,  
Edward Herle, Edward Hoblin, Nicholas Herle, Walter Leech, George Spry, Wil-  
liam Bond, Thomas Dodson, John Arundel, John Tregygle, William Thomas, An-  
thony Tanner, John Barret, Thomas Penhallow, John Tamlin, John Verman, Rich-  
ard Williams, John Williams, Esquires; William Kegwin, Henry Edwards, Arthur  
Painter, Gent.

**Cumberland.**

**For the County of Cumberland, John Warwick, Richard Lamplugh, Miles Pe-**  
nington, Joseph Patrickson, John Senhouse, William Orphaur, Ferdinando Huddle-  
ston, Leonard Dykes, Hugh Ascue, Richard Patrickson, John Punsonbee, Esquires.

**Devon.**

**For the County of Devon, Christopher Lord Torrington, Richard Duke, Gydeon**  
Heydon, Richard Lee, Richard Hillersdon, Samuel Roll, Arthur Ashford, John Bluer,  
William Bragg, Matthew Halls, Edmond Parker, John Mallet, Esquires; Sir John  
Stowell, John Chichester, Esquire.

**Exon.**

**For the City and County of Exon, John Mallet Esquire, Doctor Edward Ma-**  
sters Chancellour of the Diocese, Eustace Budgell Gent.

**Derby.**

**For the County of Derby, George Savile, Robert Ashton, John Gell, John Low,**  
John Dun, Esquires; Andrew Clayton, Robert Moore Gent. Richard Merchant  
Alderman, Edward Abney Esquire.

**Dorset.**

**For the County of Dorset, Robert Cullyford, William Frampton, Robert**  
Williams, Henry Henly junior, Humphrey Weld, Esquires, the High Sheriff for  
the time being, John Ellefson, Salomon Andrews, John Gallop, Gentlemen.

**Pool.**

**For the Town and County of Pool, the Mayor for the time being, William**  
Okeden, Allen Skutt, Gentlemen.

**Durham.**

**For the County Palatine of Durham, Sir George Fletcher Baronet, Robert**  
Shaftoe, Humphrey Wharton, Thomas Craddock, Christopher Saunderfon, John  
Jeffreyson, Esquires, Robert Newhouse, Edward Arden Gent.

**Essex.**

**For the County of Essex, Sir John Archer one of the Justices of the Com-**  
mon-Pleas, Philip Saltenston, Thomas Cullum, Esquires; Timothy Middleton  
Esq. Sir James Russel, Edward Shelton, Francis Mildmay.

**Colchester.**

**For the Town of Colchester, Sir Harbottle Grimstone Baronet, Master of the**  
Rolls, John Eldred senior, John Eldred junior, Esqs.

**Harwich.**

**For the Town of Harwich and Dover-Court, the Mayor for the time being,**  
Sir Cappel Luckin Knight and Baronet, John Eldred junior Esquire, Dr.  
George Coleman, Daniel Smith, Captain Hunter, Alderman Sack, Samuel Newton,  
Alderman Robinson, Alderman Garriott, Alderman Hawks.

**Gloucester.**

**For the County of Gloucester, Sir John Treacy, Sir William Jackson, Sir John**  
Newton, Baronets, Sir Francis Fane Knight of the Bath, Sir John Poynts  
Knight.



**Knight**, John Meriderth, John Vaughan, Thomas Carpender, William Oldesworth, John Browning, Thomas Veel of Simons Hall, Edward Smith, George Brett, Roger Ligan, Robert Loggin, **Esquires**; William Hancock, Conway Whitton, Thomas Smith, Richard Jones of Hanham, Thomas Wise, Richard Hart **Gent.**

**City of Gloucester.**

**For the City and County of the City of Gloucester**, Sir Bainham Throckmorton **Knight and Baronet**, M<sup>r</sup>. Thomas Aram **Merchant**, M<sup>r</sup>. John Marston, Colonel Richard Atkins, William Cook **Esquire**.

**Hereford.**

**For the County of Hereford**, James Pitts, Francis Pember of Elsdon, Robert Minors of Treagoe, Edward Scrimshaw, John Bridge of Priors-Court, **Esquires**, John Burch of Garnston, John Curver of Upton, Henry Milbourne, William Driver, Gilbert Hare, **Gent.**

**City of Hereford.**

Bridstock Herford **Esq.** Humphrey Diggs, Humphrey Howarth, James Wellington, **Gent.**

**Hertford.**

**For the County of Hertford**, Sir Thomas Brograve, Sir Robert Joscelyne, **Baronets**; Sir John Witterong **Knight and Baronet**, Sir Charles Cleaver **Knight**, Robert Dicer, John Cesar, Ralph Radcliffe, Francis Shalcrofs, Edward Chester, Thomas Tooke, **Esquires**, Richard Taverner, King of Hempstead, Joseph Edmonds; Charles Cesar, George Nodes, George Poyner, Joseph Hatch, Charles Crouch, Thomas James, John Dagnol, **Gentlemen**, William Glascock **Esquire**.

**Saint Albons.**

**For the Borough of St. Albons**, Joshua Lomax, Edward Crosby, Thomas Rotherham, William Rugg, William Rance, **Aldermen**, John Dogget.

**Huntington.**

**For the County of Huntington**, Sir James Beverly, John Dryden, Anthony Hammon, Major Dean of Godmanchester,

**Kent.**

**For the County of Kent**, Sir Thomas Monins, Sir Thomas Peirse, **Baronets**, Sir John Shaw **Knight and Baronet**, Sir Nicholas Strode **Knight**, Edward Master, Elwyn Wyat, William Wiseman, **Esquires**; The Mayor of Maidstone for the time being.

**Canterbury.**

**For the City and County of Canterbury**, William Kingslys **Esquire**.

**Dover.**

**For the Cinque-Port of Dover**, James VVyon **Esquire**, VVilliam Stocks **Jurat.**

**Sandwich.**

**For the Cinque-Port of Sandwich**, VVilliam Freeman **Esquire**, James Thorban junior, **Gent.**

**Lancaster.**

**For the County of Lancaster**, The High-Sheriff for the time being, Edmond Ashton of Chatterton, Christopher Bainister, **Esquires**; M<sup>r</sup>. Richard Shuttleworth of Gawthrop junior, John Hartley, Miles Dodding, George Fell, **Esqs**; Captain VVilliam Fleming, Richard Kenerdine **Doctor in Physick**.

**Leicester.**

**For the County of Leicester**, Richard Lister, VVilliam Gilbert, George Pochin, **Esquires**, John Farrington **Esquire**.

**Leicester Town.**

**For the Burrough of Leicester**, Daniel Deacon, VVilliam Stubins, VVilliam Callis, John Cleark **Gent.**

**Lincoln.**

**For the County of Lincoln**, Carr Scrope, Richard Newton, Richard Pell, VVilliam Darwyn, Redmayn Bural, Thomas Brown, George Lucas, VVilliam Bassett, John Bishop,

Bishop, John Buclar, William Skipwith, Henry Meller, Thomas Frifton, Peregrine Bartu, *Esquires*; Augustine Cawdron, Anthony Newlove, William Perkins, Miles Long, Andrew Slee, John Brown, Francis Johnson of Spaulding, Charles Massingbeard, John Green of Dusby *Sent*.

For the Bail of Lincoln, Richard Craycroft, Lawrence Scampford *Sent*.

#### Middlesex.

For the County of Middlesex, William Ashburnham *Treasurer of His Majesties Household*, Sir Nicholas Strode of St. Johns, Mark Cotle, John Hawtry, Edward Palmer, Nicholas Townley junior, Matthew Bluck, William Richardson, Charles Porter, Ralph Piggott, *Esquires*, Sir John Dethick, Doctor Cox, Thomas Stringer, John Vincent, William Thursby, Thomas Robinson, *Esquires*, Sir Mande- ford Bramston *Knight*, John Jolliffe, Lancelot Johnson junior, *Esquires*.

#### London.

For the City of London, Sir William Bolton *Lord Mayor*, Sir John Langham, Sir John Lawrence, Sir Richard Reeves, Sir Robert Hanson, Sir William Hooker, Sir George Waterman, Sir Charles Doe, Matthew Bluck *Esq.* John Moore, Henry Partridge, Tho. Blackerby, *Aldermen*, Sir Robert Viner, Sir Joseph Sheldon *Sheriffs*, Edward Arris *Esq.*

#### Westminster.

For the City of Westminster, Sir Thomas Clifford *Comptroller of His Majesties Household*, Sir William Doyle, Sir Oliver Botler, Sir George Downing, *Baronets*, Sir Robert Carr, Sir James Smith, Thomas Exton *Doctor at Law*, Lawrence Squibb, William Louing, John Louing, Henry Wynn, Philip Warwick junior, George Bennet, *Esquires*; Doctor Troutbeck *Esquire*, Henry Aldrich, *Sent*. Thomas Tyndal, John Chace, Philip Hanbury, Walter Brydal, Bryan Barnby, John Jeffes, David Walter, John Caranee, *Esquires*, Samuel Barrow *Doctor in Physick*; Henry Monck, Thomas Owen, Peregrine Bartu, Ambrose Scudamore, Thomas Milward, *Esquires*, William Carr *Esquire*, Thomas Crompt, Robert Stockdale *Gentlemen*, Henry Slingsby *Esquire*, Henry Peck junior *Esquire*, Dr. Richard Padgett, Dr. George Plucknett, Dr. Michael Arnold, Dr. Nicholas Edlyn, Ralph Pygott *Esquire*, Henry Brunkard *Esquire*.

#### Northampton.

For the County of Northampton, Edward Palmer, John Parkhurst of Catesby, *Esquires*.

#### Norfolk.

For the County of Norfolk, John Bayspool of Hadcos, William Richardson, Edmond Bell, Francis Bell, John Bathpool, Gascoyn Weld, *Esquires*.

#### Norwich.

For the County and City of Norwich, John Richers, Richard Wenman, *Aldermen*.

#### Newcastle upon Tyne.

For the Town and County of Newcastle upon Tyne, William Blacket *Esquire*; Mayor for the time being, Sir Nicholas Cole, Sir James Clavering, *Baronets*, Sir Francis Lyddel *Knight*, Robert Shaftoe *Esquire*, Recorder, Mark Milbanck, John Emmetson, Henry Maddison *Esquires*, *Aldermen*, Richard Stots *Esquire*, The *Sheriffs* for the time being, Robert Marley *Esquire*.

#### Nottingham.

For the County of Nottingham, Francis Lork *Esquire*, Dr. Robert Atkinson, both of Newark, Harvey Stanton of Stanton *Esquire*.

#### Oxon.

For the County of Oxon, Sir Thomas Hampson *Baronet*, Robert Withers, James Chamberlain, Henry Brunkar, *Esquires*; Vincent Barry *Esquire*.

#### Salop.

For the County of Salop, Henry Davenport *Esquire*, Edmond Pearce of Wilcot *Sent*.

#### Southampton.

For the County of Southampton, Sir Charles Wyndham, John Smith *Esquire*,  
Sir



Sir John Cloberry, William Stephens, Nicholas Dorrel, Esquires; James Worley Gent. Carew Reynel Esquire; Henry Doyley, Thomas Knight, Gentlemen.  
For the Town of Portsmouth, Benjamin Johnson and Hugh Salisbury, Gent.

**Winton.**

For the City of Winton, Sir Robert Mason, Nicholas Darel Esquire.  
**Somerset.**

For the County of Somerset, Sir John Stowel Knight, James Prowse, Cadwallader Jones, William Strode, Edward Strode, Richard Davadge, James Stedman, John Baber, Hugh Tynt, Esquires; Thomas Dyke, Richard Musgrave, Gentlemen.

**Bristol.**

For the City and County of the City of Bristol, Sir Humphrey Hook Knight, Joseph Crefwick, Thomas Stephens, Henry Lloyd, Gent.

**Bath.**

For the City of Bath, Henry Chapman, John Peirce, Gent.

**Stafford.**

For the County of Stafford, Jonas Grosvenor Esquire.

**Suffolk.**

For the County of Suffolk, Francis Burwell, William Fernely, Esquires; Thomas Arris Doctor in Physick, Doctor Bryan Smith, Dr. Edward Spencer, Edward Man, John Cordell Esquire, William Hamon Gent. Thomas Edgar of Ipswich Esquire, Barodel Millefon of Norton Gent. John Duke Esquire, Ambrose Duke Gent.

**Sudbury.**

For the Town of Sudbury, Nathaniel King, John Cooke, Christopher Petit, Thomas King, Aldermen.

**Suffex.**

For the County of Suffex, John Ashburnham, Edward Blaker, Henry Brunkard, Esquires; George Edmonds, Captain John Eversfield, John Backthal Gent. Edward Cooper Esquire; John Machell, Francis Gratwick, Esquires.

**Hastings.**

For the Cinque-Port of Hastings, Benjamin Polsted, John Hyde Gent.

**Rye.**

For the Cinque-Port of Rye, William Holman, John Martin Gent.

**Surry.**

For the County of Surry, Sir Francis Duncomb Baronet, Sir Cyril Wiche, Sir Thomas Thynn, Sir William Throckmorton junior, Rowland Jucks, Edward Cooper, Will. Chislet, Richard Mountney, Edward Freeman, Esquires; Stephen Harvy, Henry Houghton, Esquires.

**Southwark.**

For the Burrough of Southwark, Sir Edward Bromfield Baronet, Sir Thomas Clarges Knight, Edmond Clay, Thomas Lenthal, John Child, Esquires; Richard How, William Sherlock senior, William Adams, Jeremy Baynes, John Appleby, Richard Smith, Gent.

**Warwick.**

For the County of Warwick, John Stratford, Fulwood Skipwith, Henry Pudsey, Esquires.

**Westmerland.**

For the County of Westmerland, Christopher Crakenthope, Christopher Dalton, Christopher Teasdel, William Dawes, Robert Philipson, William Middleton, Henry Wilson, Robert Braithwait, Richard Duckett, Will. Guy, Esqs.

**Wilts.**

For the County of Wilts, Sir Robert Howard Knight, Giles Hungerford Esquire. The Mayor of Marlborough for the time being; the Mayor of the Devises, for the time being; Thomas Gunter Esquire, Dr. Edmond James, Dr. John Jacob, Dr. Thomas Vilet, Dr. Giles Aleworth, Dr. Charles York, George Johnson Esquire.

**Sarum.**

## Sarum.

For the City of New Sarum, Thomas Gunter Esq; Alderman Slaune, George Venard, James Harris, Doctor Hurst.

## Worcester.

For the County of Worcester, William Washbourne, Robert Staynor, Esqs; William Dowdeswel Gent.

## Worcester City.

For the City of Worcester, the Mayor and Aldermen and Sheriffs for the time being; Sir John Packington Baronet, Sir Rowland Berkley Knight; Samuel Sandys senior, Thomas Hall, Thomas Street, Esqs. Samuel Johnsons, Matthew Skinner Doctor of Physick, Robert Wilde, Humphrey Wildey, Richard Bedoes, Edward Cooksey, Wintour Harris, John Bearecroft, Humphrey Tyer, Thomas Twitty, John Tyas, Gent.

## York.

For the North-Riding in the County of York, Mr. Geldart of Wiggenthorp, Richard Turner of Tunstall, Roger Tockitts, John Wentworth, William Hustler, Esqs. William Dawson Gent. Sir John Hewley, Roger Colvel Gent. Ralph Stephenson, William Palines, Edward Challoner, Esquires; John Hill of Thornmanby Gent.

## York East-Riding.

For the East-Riding in the County of York, John Wentworth, John Hern, Ralph Wharton, James Moyser, Esqs. Edward Gray the elder, Edward Gray the younger, Gent.

## York West-Riding.

For the West-Riding in the County of York, John Stanhope Esquire, Francis Carr Gent. William Ellis, Henry Edmonds, John Hopton, Christopher Drisfield, Henry Slingsby, Robert Wivell, Robert Brandling, Esquires; Ralph Banister, John Cook Gent. John Savile of Meathley Esquire.

## Kingston upon Hull.

For the Town and County of Kingston upon Hull, William Lister Esq; Lambert Alderman.

## Brecon.

For the Town of Brecon, Sir Walter Williams Baronet, Lehunt Esq. Daniel Williams of Penpont, William Bowen, and David Gwenn, Gent.

## Cardigan.

For the Town of Cardigan, The Mayor for the time being, Thomas Parry Esq. John Morrice Alderman.

## Glamorgan.

For the Town of Glamorgan, Sir Edward Stradling Baronet, John Windham, Edmund Lewis, Richard Seyes of Bouerton, Walter Thomas, Martin Button, Thomas Button, Esqs.

## Merioneth.

For the County of Merioneth, Captain John Nanney, Lewis Lewis, John Lloid of Keavenraes, Hugh Nanney of Festiniog, Gent.

## Monmouth.

For the County of Monmouth, Henry Milborne, Charles Milborne, Bennet Hoskins, John Hoskins, Herbert of Newton, Herbert Jones, Gent.

## Pembroke.

For the County of Pembroke, Thomas Phillips Esq; High Sheriff for the County of Pembroke, Walter Vaughan, James Hayward, Esqs. Essex Merrick, William Woogan, Esqs. Thomas Cozen Gent.

## Haverford-West.

For the Town and County of Haverford-West, Walter Vaughan Esquire, John Bateman, Robert Prust, Richard Fowler, Gent.

Which said Commissioners, in order to the speedy execution of this Act, shall in their respective Counties, Cities, Boroughs, Towns and places meet together at the most usual or common place of Meeting within each of the said Counties, Cities, Boroughs, Towns and places respectively, at or before the fourteenth day of February next ensuing; And the said Commissioners, or so many of them as shall be present at the first general meeting, or the major part of them, may by their consents and agreements, divide as well themselves, as other the Commissioners not then present, for the Execution of this Act, in Hundreds, Laths, Wapentakes, Rapes, Wards, Towns, and other places within their Limits, Priviledged or not Priviledged, in such manner & form as to them shall seem expedient; and shall direct their several or joynt Precept or Precepts to such Inhabitants, High Constables, Petty Constables, Bayliffs, & other like Officers & Ministers,

Orders and  
Directions to  
the Commis-  
sioners.



Charge to be  
given to Offi-  
cers.

Parish to be  
answerable for  
Collectors,

Collectors  
Warrant.

Demand of the  
Tax.

Time to pay  
the Tax to  
Receiver-ge-  
neral.

Duplicates of  
the Tax sent  
into the Ex-  
chequer.

Ministers, and such number of them, as they in their discretions shall think most convenient, requiring them to appear before the said Commissioners, at such time and place as they shall appoint, not exceeding Eight days; And at such their appearances, the said Commissioners, or so many of them as shall be thereunto appointed, shall openly read, or cause to be read unto them, the Rates in this Act mentioned, and openly declare the effect of their charge unto them, and how, and in what manner they ought and should make their Certificates, according to the Rates aforesaid; And shall then and there prefix another day to the said persons, to appear before the said Commissioners, and bring in their Certificates of the names and surnames, qualities, degrees and titles of all and every the persons dwelling or residing within the limits of those places with which they shall be charged, and of the substances and values of every of them, in Honey, Debts, Annual Fees, Perquisites, Wages, Profits, Emoluments, and other things chargeable by this Act, without concealment, lobe, labour, dread or malice, upon pain of forfeiture of any sum not exceeding Five pounds, to be levied as by this Act is appointed; And shall then also return the names of two or more able and sufficient persons within the limits and bounds of those Parishes or places where they shall be chargeable respectively, as aforesaid, to be Collectors of the moneys due to His Majesty by this Act: For whose paying in to the Head-collectors in manner following, such moneys as they shall be charged withal, the Parish or place by whom they are so imployed, shall be answerable: Which Certificates and Assessments shall be ascertained and returned in to the Commissioners, at or before the first day of March next ensuing; and upon the delivery and returning in of such Certificates or Assessments unto the said Commissioners, they, or any two or more of them shall forthwith issue out and deliver their Warrants or Excheats to such Collectors as aforesaid, for the speedy Collecting and Levying of the said Assessments, and all Moneys and Rates due thereupon, according to the intent and subsequent directions of this present Act. Of all which the said Collectors are hereby required to make demand of the parties themselves, or at the places of their last abode, within six daies after the receipt of such Warrants, or Excheats; and to Levy and pay in the same, on or before the eighth day of April, One thousand six hundred sixty seven, at such place as the Commissioners shall appoint, unto their respective Head-collectors, who are hereby empowered and required to call upon and hasten their Sub-collectors to the said payment; and after the said eighth day of April to Levy by Warrant under the Hands and Seals of any two or more of the Commissioners, upon Sub-collector, by Distress, such sum and sums of Honey as ought by him to have been paid, and is not paid by reason of his failure in doing his duty according to the direction of this Act: so as every Head-collector may, and shall make payment of the full sum by him to be paid, at or before the fifteenth day of the said Moneth of April, unto the respective Receiver-general; who is likewise required to call upon, and hasten the said Head-collector.

And be it Enacted, That a true Duplicate of the whole sum charged within every Hundred, Lath,wapentake, Parish, Ward, or place Rated and Assessed in pursuance of this Act, without naming the persons, shall under the Hands and Seals of two or more of the Commissioners thereunto appointed, be returned into His Majesties Exchequer before the Twentieth day of April next ensuing, (all Appeals being first determined) And that like Duplicates be also in convenient time made out, and delivered unto the Receivers-general, and Head-collectors, according to their respective Collections, so as every of them may be duly charged to answer their respective Collections and Receipts; and that the money due thereupon be paid into His Majesties Exchequer before the Thirtieth day of the said moneth of April, One thousand six hundred sixty seven; And upon return of any such Certificate,

the

the said Commissioners or any three or more of them, shall and may, if they see cause, examine the Presenters thereof. And if the said Commissioners, or any three or more of them, within their several limits, shall have certain knowledge, or vehemently suspect that any person or persons in the said Certificate mentioned, is or are of a greater Value or estate then in the said Certificate is mentioned; The said Commissioners, or any three or more of them, shall have power to warn such person or persons to appear before them at a day and place prefixed, to be examined touching their Substance and Value, or touching other matters which may any way concern the Premises; And if the person or persons warned to be so examined, shall neglect to appear (not having a reasonable excuse for such his Default) every person so making Default, shall pay unto his Majesty double the sum of the Rate he should or ought to have been set at: And moreover, the said Commissioners, or any three or more of them, shall have power by all lawful ways and means without Oath, to examine and enquire into the value and substance of such persons chargeable by this Act: And to set such rate or rates upon every such person or persons, as shall be according to the true intent and meaning of this Act.

Remedy against Persons under rated.

And be it Enacted, That the said Commissioners, or any three or more of them in their respective Division or Hundreds, shall and are hereby empowered to nominate and appoint under their hands and seals, an honest, able, and responsible person to be Head-Collector, unto whom the moneys received by the Sub-collector, shall be duly paid as aforesaid; whose Receipt shall be a sufficient discharge unto every such Sub-collector: which Sub-collector for gathering the said particular sums, shall retain in his hands for every Twenty shillings by him so paid, Two pence as a reward for his pains and service. And the said Head-collector is hereby required upon the receipt thereof, to pay the same to the Receiver-general of each County respectively, in manner aforesaid; And for his so doing, the said Commissioners are hereby Impowered and required to take such good Security as they shall think fit; Consideration being therein had of the said Collectors Receipt: And the said Receiver-generals Acquittance shall be a sufficient Discharge unto every such Head-collector, who shall retain in his hands for every Twenty shillings by him so paid, One penny as a reward for his pains and service. And the said Receiver-general shall (before the Thirtieth day of April aforesaid) pay the whole sum by him received, into his Majesties Exchequer, and shall have an allowance of Two pence in the pound for all moneys, which shall be by him paid into the Receipt of the Exchequer by the time prefixed in this Act; and for so much as shall be by him paid in after the time prefixed, One penny in the pound, and no more.

Head-collector

Sub-collectors reward.

Head-collector's reward.

And for the careful writing and transcribing the said Warrants, Estreats, and Duplicates in due time, Be it further Enacted, That the Commissioners Clerks who shall respectively perform the same, shall by Warrant under two or more of the Commissioners hands, have and receive from the respective Head-collectors, Two pence in the pound of all such moneys as he shall have received by virtue of such Warrants and Estreats, who is hereby appointed and allowed to pay the same accordingly.

Commissioners Clerks Fees.

And be it further Enacted, That if any Head-collector shall not pay in to the Receiver-general, within the time limited by this Act, all sums of money by him received by virtue of this Act, That then the said Commissioners, or any two or more of them being informed thereof, are hereby empowered and required to Imprison every such Head-collector, and also to seize and secure the Estate both real and personal of such Head-collector, or which shall from him descend or come into the hands or possession of his Heirs, Executors or Administrators, whereever the same can be discovered or found: And the said Commissioners who shall so

Penalty of Head-collector not paying.

Imprisonment.

seize



seize and secure the Estate of any Head-collector, shall be, and are hereby impowered to appoint a time for the general meeting of the Commissioners of such County, City or Town, and there to cause publick notice to be given at the place where such meeting shall be appointed, ten days at least before such general meeting: And the Commissioners present at such general meeting, or the major part of them, in case the moneys detained by such Head-collector be not paid or satisfied as ought to be, according to the directions of this Act, shall and are hereby impowered and required to Sell and Dispose of all such Estates, or any part of them, which shall be for the cause aforesaid seized, and thereby to secure and pay all the money in arrear in such Head-collectors hand for his Majesties use, and return the overplus, deducting necessary charges, to such Head-Collector, his Executors and Administrators respectively. And if any person or persons shall refuse to pay the several sum and sums, and proportions appointed by this Act for such person to pay, upon demand made by the Officer or Collector of the place, according to the Precept or Writ to him delivered by the said Commissioners; It shall and may be lawful to and for such Officer or Collector, who are hereby thereunto authorized and required, for non-payment thereof to Distrain the person or persons so refusing, by his or their Goods or Chattels, and the distress so taken, to keep by the space of four days, at the costs and charges of the Owner thereof: And if the said Owner do not pay the sum of money due by this Act within the said four days, then the said Distress to be Appraised by three or two of the Inhabitants where the said Distress is taken, and there to be sold by the said Officer for payment of the said money, and the overplus coming by the said Sale (if any be) over and above the charges of taking and keeping the said Distress, to be immediately restored to the Owner thereof: And if any person or persons assessed by this Act, shall refuse or neglect to pay the sum or sums so assessed, by the space of twenty days after demand as aforesaid, where no sufficient Distress can or may be found, whereby the same may be Levied; in every such case, three or more of the Commissioners by this Act appointed for any such City, County or Place, are hereby Authorized by warrant under their Hands and Seals, to commit such person or persons to the common Goal, there to be kept without Bail or Mainprize, until payment shall be made. And if any person Certified, Assessed or Rated, find him or her self aggrieved with such Assessing or Rating, and do within ten days after demand thereof made, complain to the Commissioners, The said Commissioners, or any two or more of them, whereof one of the Commissioners who signed or allowed his or her Rate, to be one, shall and may within Fourteen days next after such Complaint, particularly examine the person so complaining, upon his or her Oath, of his or her personal Estate aforesaid; And upon due examination or knowledge thereof, abate, defalk, increase, or enlarge the said Assessment: And the same so abated, increased, or enlarged, shall be Writted by them into the Exchequer in manner aforesaid. And to that end, the said Commissioners are hereby required to meet together for the Determining of such Complaints and Appeals accordingly.

His Estate sold.

Remedy for the Tax against the first who ought to pay it.

Distress and Sale.

Remedy where no Distress can be had.

Remedy for persons over-taxed.

Offices to be taxed where they are executed.

Others to be taxed where they are resident.

And be it further Enacted, That every person rated for his Office, shall be rated, and pay for his said Office, in the place where the said Office is executed: And every person to be otherwise rated, shall be rated, and the sum or sums on him or her set and levied, at such places where he or she, and with his or her Family shall be resident at the time of the execution of this Act: And that all persons not being Householdors, nor having a certain place of abode, and all Servants, shall be Taxed at the place where they are resident at the time of the execution of this Act, three moneths before the execution of this Act.

Provided

Prohibited always, That if any person having feveral Hanſon-houſes, or places of Reſidence, ſhall be doubly charged by vertue of this Act, That upon Certificate made by two or more of the Commiſſioners for the County, City or place, (which Certificate the ſaid Commiſſioners are required to give without delay, Fee or reward) of his or their laſt perſonal Reſidence, under their Hands and Seals, of the ſum or ſums there charged, upon him or them, and in what capacity or reſpect he or they were ſo charged, and upon Oath made of ſuch Certificate before the Commiſſioners to whom ſuch Certificate ſhall be tendered, which Oath the ſaid Commiſſioners are hereby authorized to adminiſter; Then the perſon and perſons ſo doubly charged, ſhall (for ſomuch as ſhall be ſo certified) be diſcharged in every other County, City or place. And if any perſon at the time of the Aſſeſſing, ſhall be out of the Realm, ſuch perſon ſhall be rated where ſuch perſon was laſt abiding within the Realm. And if any perſon that ought to be Taxed, by vertue of this Act, by changing his place of reſidence, or by fraud or cobin ſhall eſcape from the Taxation, and not be Taxed, and the ſame proved before the Commiſſioners, or two of them, or two Juſtices of the Peace of the County where ſuch perſon dwelleth or reſideth, at any time within Six moneths next enſuing after ſuch Tax made; Every perſon that ſhall ſo eſcape from the ſaid Taxation and payment, ſhall be charged, upon proof thereof, at the double value of ſo much as he ſhould or ought to have been Taxed by the Act: The ſaid double value, upon Certificate thereof made into the Exchequer by the Commiſſioners or Juſtices before whom ſuch proof ſhall be made, to be Levied of the Goods, Lands and Tenements of ſuch perſons, towards the Supply aforeſaid.

Remedy for  
perſons doubly  
taxed.

Penalty of ſhift-  
ing abode to  
avoid taxing.

And be it further Enacted, That the Commiſſioners which ſhall be within any County or Place within their reſpective limits, or the major part of them, ſhall Tax and Aſſeſs every other Commiſſioner joyned with them, and the Commiſſioners, within their Diſtriction ſhall Aſſeſs every Aſſeſſor within their Diſtriction; And as well all ſums upon every the ſaid Commiſſioners and Aſſeſſors, as the Aſſeſſments made and preſented by the Preſenters as aforeſaid, ſhall be Written, Created, Levied and Gathered, as it ſhould and ought to have been, as if the ſaid Commiſſioners had not been named Commiſſioners.

Commiſſioners  
Taxed.

Prohibited always, and it is hereby declared, That the ſeveral Rates and Taxes to which the Lords and Peers of this Realm, ſhall be liable by vertue of this Act, ſhall be received by a Collector to be nominated by the Peers, which ſaid Collector ſhall cauſe the ſame to be paid into His Ma- jeſties Receipt of Exchequer at Weſtmiſter, upon or before the aforeſaid thirtieth day of April.

Collector for  
Peers.

Prohibited, That this Act ſhall not extend to the Inhabitants of Scotland, Ireland, Jerſey or Guernſey, for or concerning any ſuch perſonal Eſtate as aforeſaid, which they or any other to their uſe have within the places afore- ſaid.

Scotland, Ire-  
land, Jerſey  
and Guernſey.

And be it further Enacted by the Authority aforeſaid, That the reſpective Treasurers of His Maſeſties Navy and Ordnance are hereby authorized and required to take and retain unto themſelves, and ſuch as ſhall be reſpectively employed by and under them. One penny in the pound and no more, out of the moneys raiſed by vertue of this Act, and paid unto, and iſſued out by them to any perſon or perſons in purſuance thereof, to be allowed unto them in their reſpective Ac- counts.

allowed to ſhor after  
Navy etc

And be it further Enacted, That if any Aſſeſſor, Collector, Receiver, or other perſon appointed by the Commiſſioners, ſhall wilfully neglect or reſuſe to perform his Duty in the due and ſpeedy Execution of this preſent Act: The ſaid reſpective Commiſſioners, or any three or more of them, may

Penalty of Of-  
ficers neglect-  
ing or reſuſing.



and shall by vertue of this Act, impose on such person or persons so refusing or neglecting their Duties, any Fine not exceeding the sum of Twenty pounds for any one offence; the same to be Levied and Certified as aforesaid into His Majesties Court of Exchequer, and charged upon the respective Receiver-general amongst the rest of the Rates aforesaid; and the said Commissioners or any two or more of them, may or shall from time to time call for, and require an Accompt from the respective Receiver-general of all the Moneys received by him of the said Head-collectors, and of the payment thereof into His Majesties Receipt of Exchequer, according to the direction of this Act: And in case of any failure in the premises, the said Commissioners, or any two or more of them, are hereby required to cause the same to be forthwith levied and paid, according to the true intent and meaning of this Act.

Commissioners  
concerned not  
to act.

Acquittances  
gratis.

Schedule of  
names taxed,  
to the Head-  
Collectors.

The same to  
the Receiver-  
general.

Honours and  
Dignities to  
pay in the high-  
est capacity.

No Corporati-  
on Patents to  
exempt any  
one from tax-  
ing.

And in case of any controvertie arising between the said Commissioners concerning the said Rates or Assessments, the Commissioners that shall be concerned therein shall have no voice, but shall withdraw during the debate of such controvertie, until it be determined by the rest of the Commissioners: And all questions and differences that shall arise touching any of the said Rates, Taxes, Assessments, or Levies, shall be heard, and finally determined by two or more of the Commissioners, upon complaint thereof to them made, by any person or persons thereby grieved, without further trouble or Suit in Law. And the said Receiver-general shall give Acquittances gratis to the said Head-collectors, for all moneys of them received; and the said Head-collectors shall also give Acquittances gratis to the Sub-collectors, for all such moneys as shall be paid by them in pursuance of this Act; which Acquittances shall be a full Discharge to the said Head-collectors, and Sub-collectors respectively: And the said Sub-collectors shall make and deliver to the said Head-collectors, a perfect Schedule fairly written in Parchment under their hands and seals, signed and allowed by any two or more of the respective Commissioners, containing the names, surnames, and places of abode of every person within their respective Collection, that shall make default of payment of any of the sums that shall be Rated or Assessed on such person by vertue of this Act, and the sum and sums charged on every such person; The same Schedule to be delivered by the Head-collector, to the Receiver-general of that County, City, Town or Liberty respectively, to be by him returned into His Majesties Exchequer; Whereupon every person so making default of payment, may be charged by Process of the Court, according to the course thereof in that behalf.

Provided always, and be it Enacted, That no person shall by vertue of this Act, be doubly charged for or in respect of several Titles, Honours or Degrees; but that every such person shall be charged and assessed for such Title, Honour or Degree onely, as is highest rated by this Act.

And be it further Enacted by the Authority aforesaid, That no Letters Patents granted by the Kings Majesty, or any of His Royal Progenitors, or to be granted by His Majesty to any person or persons, Cities, Boroughs or Towns corporate within this Realme, of any manner of Liberties, Privileges or Exemptions from Subsidies, Tolls, Taxes, Assessments or Aids, shall be construed or taken to exempt any person or persons, City, Borough or Town corporate, or any the Inhabitants of the same, from the burthen and charge of any sum or sums of money granted by this Act, or any other Act of this Parliament now in force, to the Aid and Supply of His Majesty in the present War. And all Non obstantes in any such Letters Patents made or to be made, in bar of any Act or Acts of Parliament for the supply or assistance of His Majesty, are hereby declared to be void and of none effect: Any such Letters

ters Parents, Grants or Charter, or any Clause of Non obstante, or other matter or thing therein contained, or any Law or Statute to the contrary notwithstanding.

Prohibited always, and be it Enacted by the Authority aforesaid, That if any person being a Receiver of money due upon any former Act of this present Parliament, not having accompted for all the moneys by him received, and to be accompted for upon such Act or Acts, before Michaelmas One thousand six hundred sixty six, shall be appointed Receiver for any the moneys due by this Act, and shall intermeddle therein, every such person shall forfeit the sum of five hundred pounds, to be recovered by any person or persons that will sue for the same in any of His Majesties Courts of Record, by Action of Debt, Bill, Plaint, or other Information, wherein no Escoyn, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction or Order of Restraint, shall be in any wise prayed, granted, or allowed, nor any more then one Imparllance.

Penalty, if any former Receiver now in arrears do act hereby.

Prohibited always, And be it Enacted, That Thirty thousand pounds, and no more, of the money to be raised by this Act, may be applied for the payment of His Majesties Guards.

Prohibited nevertheless, And be it further Enacted, That all and every the Peers who are to be rated by vertue of this Act, for their Offices and personal Estates, shall be rated by John Lord Roberts Lord Keeper of the Privy Seal, George Duke of Buckingham, George Duke of Albemarle General of His Majesties Forces by Sea and Land, Edward Earl of Manchester Lord Chamberlain of His Majesties Household, Anthony Earl of Kent, Richard Earl of Dorset, John Earl of Bridgewater, James Earl of Northampton, Oliver Earl of Bolingbrook, Thomas Earl Rivers, Arthur Earl of Essex, Arthur Earl of Anglesey, Charles Earl of Carlisle, William Earl of Craven, Richard Lord Archbishop of York, Humphrey Lord Bishop of London, George Lord Bishop of Winchester, Benjamin Lord Bishop of Lincoln, Seth Lord Bishop of Exeter, Edward Lord Bishp of Carlisle, John Lord Bishop of Rochester, Henry Lord Arlington, one of His Majesties Principal Secretaries of State, George Lord Berkley of Berkley-Castle, Philip Lord Wharton, Charles Lord Howard of Charlton, William Lord Grey of Wark, Francis Lord Newport, John Lord Lucas, John Lord Bellasyse, Charles Lord Gerrard of Brandon, Charles Lord Cornwallis, and Anthony Lord Ashley, Chancellor and Under-treasurer of His Majesties Exchequer, or any five of them, and not otherwise, and shall not be subjected to the Imprisonment of his or their Persons, Any thing in this Act contained to the contrary in any wise notwithstanding.

Who shall tax Peers for their Offices.

And to the intent that all Moneys to be lent to Your Majesty, and the Moneys that shall be due upon Contracts for Wares, Ships, Goods, Victuals, or other Necessaries which shall be delivered for this Service, may be well and sufficiently secured out of the Moneys arising and payable by this Act;

Be it further Enacted by the Authority aforesaid, That there shall be provided and kept in Your Majesties Exchequer (to wit) in the Office of the Auditor of the Receipt, One Book or Register, in which all Moneys that shall be paid into the Exchequer, shall be Entred & Registered apart and distinct from all other Moneys paid or payable to Your Majesty, or to Your Heirs or Successors, upon any other Branch of Your Revenue, or upon any other Accompt whatsoever. And that there be one other Book or Registry provided and kept in the said Office, of all Orders and Warrants to be made by the Lord Treasurer, and Under-Treasurer, or by the Commissioners of the Treasury for the time being, for payment of all and every sum and sums of Moneys to all persons for Moneys lent, Wares, Goods or Victuals, or other Necessaries bought, or Ships hired, or other payments directed by Your Majesty, relating to the service of this War. And that no Moneys leviable by this Act, be issued out of the Exchequer during this War, but by such Order or Warrant mentioning, That the Moneys payable by such Order or Warrant, are for the service of Your Majesty in the said War respectively. That also there be the like Book

Books kept in the Exchequer.



or Registry provided and kept by the said Auditor, of all Moneys paid out, or issued by vertue of such Orders and Warrants.

Those Books to  
be open to view.

Tally to any that  
will lend Money  
to the King.

Use for money  
lent.  
Remedy for  
money due for  
Navall Prepara-  
tions.

Orders for pay-  
ments in due  
course.

Debtors paid in  
course.

No Fees for the  
Books, &c.

And that it shall be lawful for any person or persons, willing to lend any money, or to furnish any Wares, Victuals, Ships, Goods, or other Necessaries on the Credit of this Act, at the usual times when the Exchequer is open, to have access unto, and review and peruse all or any of the said Books for their Information of the State of those Moneys, and all Engagements upon them, for their better encouragement to lend any moneys, or furnish any Goods, Wares, Victuals, Ships, or other Necessaries as aforesaid. And that the Auditor of the Receipt, his Deputies and Clerks shall be assistant to such persons for their better and speedier satisfaction in that behalf. And that all and every person and persons who shall lend any Moneys to Your Majesty, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his Repayment, bearing the same Date with his Tally; in which Order shall be also contained a Warrant for payment of Interest for forbearance, after the Rate of Six per Cent, per Annum, for his consideration, to be paid every three Months, until the repayment of his Principal. And that all person and persons who shall furnish Your Majesty, Your Officers of the Navy, or Ordnance, with any Wares, Goods, Ships, Victuals, or any other Necessaries for the Service aforesaid, shall upon Certificate of the Commissioners and Officers of the Navy, or of the Master or Commissioners and Officers of the Ordnance, or some of them, without delay forthwith have made out to them Warrants or Orders for the payment of the Moneys due or payable unto them; which Certificates the said Officers of Your Navy, Commissioners, and Officers of the Ordnance shall make without Fee, Charge or Delay. And that all Orders for Repayment of Money lent, shall be Registered in course according to the Date of the Tallies respectively. And that all Orders signed by the Lord Treasurer, and Under-Treasurer of the Exchequer, for payment of moneys for Goods, Wares, Victuals, and other Necessaries furnished to Your Majesty, Your Officers, Master, or Commissioners as aforesaid, shall be Registered in course according to the time of bringing to the Office of the Auditor of Receipt the Certificates above mentioned. And that all Orders so Signed for payments directed by His Majesty, shall be entered in course according to their respective Dates; and none of the sorts of Orders above mentioned either for Loans of Money, Supplies of Wares, Goods, Victuals, or other necessities, or by special direction, shall have preference one before another, but shall all be Entered in their course, according to the dates of the Tallies, the times of bringing their Certificates, and the dates of the Orders for Payments directed by His Majesty, as they are in point of time respectively before each other: And that all and every person and persons shall be paid in course, according as their Orders shall stand Entered in the said Register-Book, Be it Orders for Payments directed by His Majesty, or of moneys lent, or for Wares, Commodities, Ships, Victuals, or other necessities furnished as aforesaid; so as that the person, Native or Foreigner, his Executors, Administrators and Assigns, who shall have his Warrant or Order, Warrants or Orders first entered in the said Book of Registry, shall be taken and accounted as the first person to be paid upon the moneys to come in by vertue of this Act; And he or they that shall have his or their Warrants or Orders, Warrant or Order next entered, shall be taken and accounted the second person to be paid, and so successively and in course. And that the moneys to come in by this Act, shall be in the same Order liable to the satisfaction of the said respective parties, their Executors, Administrators or Assigns successively, without preference of one before another, and not otherwise; and not be divertible to any other use, intent or purpose whatsoever. And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any Your Majesties Subjects, for providing or making of any such Books, Registers, Entries, View,

View, Search or Certificate, in or for payment of money lent, or the Interest thereof, or for payment of any money upon any Order, upon any Contract for Wares and Goods furnished to the use of Your Majesties Navy and Ordnance as aforesaid, by any of Your Majesties Officer or Officers, their Clerks or Deputies, on pain of payment of treble damages to the party grieved, by the party offending, with Costs of Suit; And if the Officer himself take or demand any such Fee or reward, then to lose his place also. And if any undue preference of one before another shall be made, either in point of Registering, contrary to the true meaning of this Act, by any such Officer or Officers, then the party offending shall be liable by Action of Debt, or on the Case, to pay the value of the Debt, Damages and Costs to the party grieved, and shall be forfeited from his Place or Office: And if such preference be unduly made by any his Deputy or Clerk, without direction or privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office: And in case the Auditor shall not direct the Order, or the Clerk of the Pells Record, or the Tellar make payment according to each persons due place and order, as aforesaid directed, then he or they shall be judged to forfeit; and their respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages and Costs, in such manner as aforesaid.

Penalty of demanding Fees, or preferring one before another in payments.

All which said Penalties, Forfeitures, Damages and Costs to be incurred by any of the Officers of the Exchequer, Navy or Ordnance, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesties Courts of Record at Westminster, wherein no Essoyn, Protection, Privilege, Wager of Law, Injunction, or Order of restraint, shall be in any wise granted or allowed.

Recovery of such penalties.

Provided always, and be it hereby Declared, That if it happen that several Tallies of Loan, or Certificates for Wares delivered, or Orders for Payments directed by Your Majesty as aforesaid, bear date, or be brought the same day to the Auditor of the Receipt to be Registered, then it shall be interpreted no undue Preference, which of these he enters first, so he enters them all the same day.

Tallies and Orders of the same date.

Provided also, That it shall not be interpreted any undue preference, to incur any penalty in point of payment, If the Auditor direct, and the Clerk of the Pells record, and the Tellar do pay subsequent Orders of persons that come and demand their money, and bring their Orders, before other persons that did not come to demand their money, and bring their Order in their course, so as there be so much money reserved as will satisfy their Orders, which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the time the money is so reserved and kept in bank for them.

Payments must be demanded in course.

And be it further Enacted by the Authority aforesaid, That every person or persons to whom any maners shall be due by virtue of this Act, after Warrant or Order entered in the Book of Register aforesaid for payment thereof, his Executors, Administrators or Assigns, by Indorsement of his Order or Warrant, may assign and transfer his Right, Title, Interest and Benefit of such Warrant or Order, or any part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an entry and memorial thereof also made in the Book of Registry aforesaid for Warrants (which the Officers shall on request, without Fee or charge accordingly make) shall intitule such Assignee, his Executors, Administrators and Assigns, to the benefit thereof, and payment thereon: And such Assignee may in like manner Assign again, and so 10 times queties; and afterwards it shall not be in the power of such person or persons who have made such Assignments, to make void, release or discharge the same, or any the moneys thereby due, or any part thereof.

Debts due by this Act assigned.

Notice of the Assignment.

And be it further Enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information shall be commenced or prosecuted against any person or persons, for what he or they shall do in pursuance or in execution of this Act; such person or persons so sued in any Court whatsoever,

Officers Sued, may plead the general issue, and recover treble costs.

shall



shall or may plead the general Issue, Not guilty; and upon any issue joyned, may give this Act, and the special matter in Evidence; And if the Plaintiff or Prosecutor shall become Non-suit, or forbear further prosecution, or suffer Discontinuance, or if a Verdict pass against him, the Defendant and Defendants shall recover their treble Costs; for which they shall have the like remedy as in any Case where Costs by the Law are given to Defendants. See after Cap. 6. this Act explained.

## CAP. II.

An Act against Importing Cattel from *Ireland*, and other parts beyond the Seas; and Fish taken by Foreigners.

Preamble.

15 Car. 2 cap. 7.

Common Nuisance.

Penalty of Importing Cattel.

Fish not imported by Foreigners.

**V**hereas by an Act of this present Parliament, Entituled, An Act for the Encouragement of Trade, amongst other things, some Provision was made for the preventing of coming in of vast Numbers of Cattel, whereby the Rents and Values of the Land of this Kingdom were much fallen, and like daily to fall more, to the great Prejudice, Detriment and Impoverishment of this Kingdom; which nevertheless hath by experience been found to be ineffectual; and the continuance of any Importation, either of the Lean or Fat Cattel, dead or alive, herein after specified, not onely Unnecessary, but very Destructive to the welfare of this Kingdom. Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, That such Importation from and after the second day of February, in this present year One thousand six hundred sixty and six, is a publick and common Nuisance, and shall be so adjudged, deemed and taken to be to all intents and purposes whatsoever. And that if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon (except for the necessary Provision of the respective Ships or Vessels in which the same shall be brought, not exposing the same, or any part thereof to Sale) shall from and after the said second day of February, by any wise whatsoever, be Imported or brought from beyond Seas into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed; That then it shall and may be lawful for any Constable, Tyrbing-man, Headborough, Churchwardens or Overseers of the Poor, or any of them, within their respective Liberties, Parishes or Places, to take and seize the same, and keep the same during the space of Eight and fourty hours, in some publick or convenient place where such Seizure shall be made; within which time, if the Owner or Owners, or any for them or him, shall make it appear unto some Justice of the Peace of the same County where the same shall be so seized, by the Oath of two credible Witnesses, which Oath the said Justice of Peace is hereby impowered and required to administer, That the same were not imported from *Ireland*, or from any other place beyond the Seas, not herein after Excepted, after the said Second day of February; Then the same upon the Warrant of such Justice of Peace, shall be delivered without delay; But in default of such Proof, and a Warrant, then the same to be forfeited; One half thereof to be disposed to the use of the Poor of the Parish where the same shall be so found or seized, the other half to be to his or their own use that shall so seize the same.

And for the better encouragement of the Fishery of this Kingdom, Be it further Enacted by the Authority aforesaid, That if any Ling, Herring, Codd or Pilchard, fresh or salted, dried or bloated, or any Salmon, Eels or Congers taken by any Foreigners, Aliens to this Kingdom, shall be Imported, uttered, sold, or exposed to sale in this Kingdom; That then it shall and may be lawful for any person or persons to take and seize the same; The one half thereof to be disposed of to the use of the Poor of the Parish where the same shall be so found or seized; the other half to his or their own use, which shall so seize the same.

Prohibited

Provided always, That nothing in this Act shall be construed to hinder the Importation of Cattel from the Isle of Man in this Kingdom of England, so as the number of the said Cattel do not exceed Six hundred Head yearly; And that they be not of any other Breed then of the Breed of the Isle of Man; And that they be landed at the Port of Chester, or some of the members thereof, and not elsewhere. This Act to continue untill the end of Seven years, and from thence to the end of the first Session of the next Parliament.

## CAP. III.

An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of *England*.

**V**hereas an Act was made in the Fourteenth year of the Reign of Our Sovereign Lord the King that now is, Entituled, An Act for preventing of Theft and Rapine upon the Northern Borders of *England*; which Act is very near expiring, and hath been found very necessary for the preservation of those places from that great number of Lewd, Disorderly, and Lawless persons, that usually frequented thereabouts: Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons of this present Parliament Assembled, That the said Act, and every Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, be, continue, and remain in force untill the end of Seven years from the expiration or determination of the forementioned Act.

And be it further Enacted by the Authority aforesaid, That the benefit of Clergy shall be taken away from great, known and notorious Thieves and Spoil-takers in the said Counties of Northumberland, Cumberland, or either of them, during the continuance of this present Act, who shall be duly convicted for Theft done or committed within the said Counties, or either of them; Or otherwise, That it shall and may be lawful to and for the Justices of the Assize, and Commissioners of Oyer and Terminer, or Goal-delivery, before whom such Offenders shall be convicted within the said Counties, or either of them, to Transport, or cause to be Transported the said Offenders, and every of them, into any of His Majesties Dominions in America, there to remain, and not to return: Any former Law, Statute or Usage to the contrary in any wise notwithstanding.

Isle of Man

Cap. 22

Clergy taken away.

Offenders transported.



## CAP. IV.

An Act for Burying in Woollen onely.

Preamble.

**F**or the Encouragement of the Woollen Manufactures of this Kingdom, and prevention of the Exportation of the Honeys thereof, for the Burying and Importing of Linnen: Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority thereof, That from and after the five and twentieth day of March, in the year of our Lord One thousand six hundred sixty seven, No person or persons whatsoever shall be buried in any Shirt, Shift, or Sheet made of, or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or other then what shall be made of Woollen onely, or be put into any Coffin lined or faced with any thing made of, or mingled with Flax, Hemp, Silk or Hair; upon pain of the forfeiture of the sum of five pounds, to be employed to the use of the Poor of the Parish where such person shall be buried, for and towards the providing a Stock or Workhouse for the setting them at work, to be levied by the Churchwardens and Overseers of the Poor of such Parish, or one of them, by Warrant from any Justice of the Peace, or Mayor, Alderman, or Head-officer of City, Town or place Corporate, respectively to their several Limits, by Distress and Sale of the Goods of the party Interred contrary to this Act, rendering the overplus; or in default thereof, by Distress and Sale of the Goods of any that had a hand in the putting such person into such Shift, Shirt, Sheet or Coffin, contrary to this Act, or did order or dispose the doing thereof, to be levied and employed as aforesaid.

Penalty.

Persons dying of the Plague.

Provided, That no penalty appointed by this Act, shall be incurred for, or by the reason of any person that shall die of the Plague, though such person be buried in Linnen.

## CAP. V.

An Act for Encouraging of Coynage.

Preamble.

**V**hereas it is obvious, That the plenty of Current Coyns of Gold and Silver of this Kingdom, is of great advantage to Trade & Commerce; For the Increase whereof, Your Majesty in Your Princely Wisdom and Care, hath been graciously pleased to bear out of Your Revenue, half the Charge of the Coynage of Silver-money: For the preventing of which Charge to Your Majesty, and the Encouragement of the bringing of Gold and Silver into the Realm, to be converted into the Current Money of this Your Majesties Kingdom, We Your Majesties Dutiful and Loyal Subjects, do Give and Grant unto Your Majesty, the Rates, Duties or Impositions following; And do beseech Your Majesty that it may be Enacted; And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, & Commons in this present Parliament assembled, and by the Authority of the same, That whatsoever person or persons, Native or Foreigner, Alien or Stranger, shall from and after the Twentieth day of December One thousand six hundred sixty and six, bring any Foreign Coyne, Plate or Bullion of Gold or Silver, in Bars, Bolts or Allayed, or any sort of Manufacture of Gold or Silver into this Majesties Mint or Mints, within the Kingdom of England, to be there Melted down and Coynd into the current Coyns of this Kingdom, shall have the same there Allayed, Melted down and Coynd with all convenient speed, without any Defalcation, Diminution or Charge for the Allaying, Coynage, or Waste in Coynage: So as that for every pound Troy of Crown or Standard-Gold that shall be brought in and delivered by him or them to be Allayed, Melted down, & Coynd as aforesaid, there shall be delivered out to him or them respectively, a pound Troy of the current Coyns of this Kingdom, of Crown or Standard-Gold; And for every pound Troy of Sterling, or Standard-Silver that shall be brought in and delivered by him or them to be Allayed, melted down and Coynd as aforesaid, there shall be delivered out to him or them respectively a pound Troy of the current Coyns of this Kingdom, of Sterling, or Standard-Silver; and so proportionably for a greater

Gold and Silver coined gratis.

or

of lesser weight: And for every pound Troy of Gold or Silver that shall be brought in, and delivered to be Assayed, Melted down, and Coynded as aforesaid, that shall be finer upon Assay then Crown-Gold, or Standard-Silver, there shall be delivered for the same so much more then a pound Troy, as the same doth in proportion amount unto in fineness and value; And for every pound Troy of Gold or Silver that shall be brought in, and delivered to be assayed, Melted down, and Coynded as aforesaid, that shall be courser or baser upon Assay, or worse in value then Crown-Gold, or Standard-Silver, there shall be delivered for the same so much less then a pound Troy, as the same doth fall short in fineness or value, and so for a greater or lesser quantity.

And it is hereby further Enacted by the Authority aforesaid, That there shall be no preference in point of Assaying or Coyning; but that all Gold and Silver brought in, and delivered into the Mint to be Assayed and Coynded, shall be Assayed, Coynded, and delivered out to the respective Importers, according to the order and times of bringing in and delivering the same into the Mint or Mints, and not otherwise: So as he that shall first bring in, and deliver any Gold or Silver to be Coynded, shall be taken and accounted the first person to have the same Assayed, Coynded, and Delivered; And he or they that shall bring in and deliver any Gold or Silver next, to be accounted the second person to have the same assayed, Coynded, and Delivered; and so successively in course. And that the Gold and Silver brought in and Coynded as aforesaid, shall be in the same order delivered to the respective bringers in thereof, their Executors, Administrators or Assigns successively, without preference of one before the other, and not otherwise: And if any undue preference be made in Entering of any Gold or Silver, or delivering out of any money Coynded, contrary to the true intent and meaning of this Act, by any Officer or Officers of the Mint or Mints; then the party or parties offending, shall be liable by Action of Debt, or in the Case, to pay the value of the Gold or Silver brought in, and not Entered and Delivered, according to the true intent, meaning and direction of this Act as aforesaid, with Damages and Costs to the party or parties grieved, and shall be adjudged from his or their Place or Office: And if such preference be unduly made by any his or their Deputy or Deputies, Clerk or Clerks, without direction or privity of his or their Master or Masters, then such Deputy or Deputies, Clerk or Clerks onely shall be liable to such Action, Damage and Costs as aforesaid, and be for ever after incapable of serving or bearing Office in any Mint in the Kingdom of England.

Provided always, That it shall not be interpreted any undue preference to incur any Penalty in point of Delivery of Moneys Coynded, if the Officer or Officers, or their Deputies or Clerks shall Deliver out or pay any moneys Coynded, to any person or persons that do come and demand the same upon subsequent Entries, before others that did not come to demand their moneys in their order and course, so as there be so much money reserved as will satisfy them, which shall not be otherwise disposed of, but kept for them.

And for the more orderly and clear performance thereof, Be it Enacted, And it is hereby Enacted by the Authority aforesaid, That the Master-worker of His Majesties Mint or Mints for the time being, shall at the time of the Delivery and Entry of any Gold or Silver in the said Mint or Mints, give unto the bringer, or bringers in thereof to be Coynded, a Bill under his hand, denoting the Weight, Fineness and Value thereof, together with the day and Order of its Delivery into the said Mint or Mints.

And for the further Encouragement and Assurance of such as shall bring any Gold or Silver into His Majesties said Mint or Mints to be Coynded; Be it Enacted, And it is hereby Enacted by the Authority aforesaid, That no Confiscation, Forfeiture, Seizure, Attachment, Stop or Restraint whatsoever, shall be made in the said Mint or Mints, of any Gold or Silver brought in to be Coynded; for or by reason of any

Coynded Money to be given out in turne and course.

Penalty of preferring one before another out of course.

Damages and Costs.

Provision, if there be any neglect in the owner.

Bills under the Mint-Masters hand.

Gold or Silver brought to be Coined freed from Attachments, &c.



Imbargo, breach of the Peace, Letters of Mart or Repzisal, or War with any Forreign Nation, or upon any other accompt or pretence whatsoeber; But that all Gold and Silber brought into any of His Majesties Mint or Mints within the Kingdom of England to be Coynded, shall truly, and with all convenient speed be Coynded and delivered out to the respective bringer or bringers in thereof, their Executors, Administrators or Assigns, according to the Rules and Directions of this Act.

The Charge  
defraid by a  
new Impost on  
certain liquors.  
Stat. 14. Car. 2.  
cap. 11.

And whereas it cannot be reasonably expected, that the Expence, Waste, and Charge in Assaying, Melting down and Coyndage be born by Your Majesty, And for the further encouragement of Coyndage, Be it Enacted, And it is hereby Enacted by the Authority aforesaid, That for every Tun of Wines, Vinegar, Sider, or Beer that shall be Imported or brought into the Port of London, or into any other Port, Creek or place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any parts beyond the Seas, or Scotland, from and after the twentieth day of December, in the year of our Lord One thousand six hundred sixty and six, there shall be Levied, Collected and paid the sum of Ten shillings; And for every Tun of Brandy-wines, or Strong-waters that shall be imported as abovesaid, the sum of Twenty shillings, and so proportionably for a greater or lesser quantity, to be Levied, Collected and paid at the respective Custom-houses to the Collectors, and other Officers of the Customs for the time being, at the Importation of the said Commodities, over and above all other Duties charged, leviabie and payable upon the said Commodities, and to be by them distinguished and kept apart from all other moneys by them Collected and Levied upon the same Commodities, or upon any other Commodities or Merchandises whatsoeber, and to be by the said Collector or Collectors respectively so answered and paid Quarterly into the Receipt of the Exchequer of Your Majesty, Your Heirs and Successors; there also to be kept distinct and apart from all other moneys arising by the Customs, or by any other way or Revenue whatsoeber; which said Duty they are hereby enjoyned to receive and pay according to the several Directions of this Act, without any Salary or Fee.

Remedy for the  
Impost.

And be it further Enacted and Declared by the Authority aforesaid, That all manner of Wines, Vinegar, Sider, Beer, Brandy-wines, and Strong-waters Imported as aforesaid, shall pay their several and respective Duties imposed by this Act; And upon non-payment thereof, shall be liable to such, and the same pains, penalties and forfeitures, as in and by the late Acts for Tonnage and Poundage, and for frauds, are Enacted and appointed, upon non-payment of the Duties by the said Acts imposed upon Goods and Merchandises of the same nature with those mentioned in this Act.

No impost of  
those Liquors  
re-exported.

Prohibited alwayes, and it is hereby Enacted, That for what of the aforesaid Commodities shall be Transported into any parts beyond the Seas, within the term and space of one year after the Importation thereof; That the Duty paid by this Act for the same, shall be repaid by the respective Collectors of the Customs for the time being.

Employment of  
the Money raised.

And it is hereby further Enacted, That no moneys leviabie and payable by this Act, shall be applied or converted to any use or uses whatsoeber, other than to the defraying the charge or expence of the Mint or Mints, and of the Assaying, Melting down, Waste and Coyndage of Gold and Silber, and the encouragement of the bringing in of Gold and Silber into the said Mint or Mints, there to be Coynded into the current Coyns of this Kingdom; Nor shall any of the said moneys be issued out of the Exchequer, but by Order or Warrant of the Lord Treasurer and Under-Treasurer, or Commissioners of the Treasury for the time being, to the Master and Worker, or Masters and Workers of Your Majesties Mint or Mints for the time being, and mentioning, That they are for the use and service aforesaid, to be kept in His Majesties Office of Receipt in the said Mint or Mints, under the usual Keys of the Warden, Master and Worker, and Comptroller for the time being, and issued out thence from time to time, according

ording to the manner and course of the said Mint or Mints respectively.

And it is hereby further Enacted, That there shall not be issued out of the Exchequer of the said Monies, in any one year, for the Fees and Salaries of the Officers of the Mint or Mints, and towards the providing, maintaining and repairing of the Houses, Offices and Buildings, and other necessities for Assaying, Melting down, and Coynage, above the sum of Three thousand pounds Sterling money; And the overplus of the said monies so kept, or to be kept as aforesaid, shall be employed for and towards the expence, waste and charge of assaying, melting down and Coynage, and buying in of Gold and Silver to Coyn, and not otherwise.

The whole charge of Coyn-  
ing restrained.

And lastly, Be it Enacted, And is hereby Enacted by the Authority aforesaid, That this Act shall continue and be in force until the twentieth day of December, which shall be in the year of our Lord One thousand six hundred seventy one, and until the end of the first Session of Parliament then next following, and no longer.

How long to  
continue.

Provided always, and be it further Enacted, That whereas His Majesty in and by his Letters Patents under his Great Seal, dated at Westminster the Twentieth day of August, in the Twelfth year of his Reign, did for divers good causes and considerations him moving, give and grant to Dame Barbara Villiers Widow, the sum of Two pence by sale out of every pound weight Troy of Silver monies which from thenceforth should be Coyned by vertue of any Warrant or Indenture made and to be made by his Majesty, his Heirs and Successors, To have, hold, receive, perceive and take the same unto the said Dame Barbara Villiers, her Executors, Administrators and Assigns, from the Ninth day of the then instant August weekly, as the said monies should be Coyned, for and during the term of one and twenty years, as by the same doth appear: That his Majesty may out of the monies leviable by this Act, appoint and cause reasonable satisfaction to be made yearly to the said Dame Barbara Villiers, her Executors and Administrators, for her Interest in the Premises, not exceeding the sum of Six hundred pounds in any one year.

Lady Villiers.

#### C A P. VI.

An Act Explanatory of the Act for Raising Monies by a Poll, and otherwise, towards the Maintenance of this present War.

**V**hereas by an Act of this present Session of Parliament, Intituled, An Act for Raising monies by a Poll, and otherwise, towards the Maintenance of this present War; It is Enacted, That all and every person and persons shall pay unto his Majesty the sum of Twelve pence over and above the other Rates charged upon them by the said Act: To prevent all doubts that may arise in the execution thereof, Be it Enacted and Declared by the Kings most Excellent Majesty, by and with the advice and Consent of the Lords Spiritual & Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said sum of Twelve pence shall be charged upon, and be paid by every person, of what age, sex, or condition soever, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, other then such persons who receive Alms from the Parish, and the Children of any person remaining in his or her family, who by reason of their poverty doth not contribute unto the Rates for Church and Poor, and which are under the age of sixteen years, and are therefore exempted by the said Act. And be it further Enacted, That the respective Parents, Guardians and Tutors of every person under the age of One and twenty years, shall upon default of payment by such person, and upon demand, pay Twelve pence for every such person residing in their family, or under their Tuition, and not exempted

Cap. x.



exempted as aforesaid. And be it Enacted, That every person and persons charged or appointed to make any payment by virtue of this present Act, shall be compellable by the Commissioners appointed by the before recited Act, or any two or more of them, to pay the same, according unto the Rules and Methods, and under the Penalties for paying the Rates expressed in the said recited Act. And be it further Enacted and Declared, That every person or persons charged by the said recited Act for his or their Profession, Office, or in respect of any other capacity chargeable by this, or the aforesaid Act, who shall find him or themselves overcharged, shall and may upon his or their Appeal before the Commissioners in the said Act mentioned, or any two or more of them, upon his or their several Oaths discharge him or themselves in such manner and form, as persons over-rated for their personal Estates are by the said Act enabled. And be it Enacted, That all persons not being householders, nor having a certain place of abode, and all Servants shall be rated at the place where they shall be resident at the time of the execution of the said Act, and not elsewhere.

## C A P. VII.

An Act for Erecting a Judicature for Determination of Differences touching Houses Burned or Demolished by reason of the late Fire which happened in London.

Preamble.

**V**hereas the greatest part of the Houses in the City of London, and some in the Suburbs thereof, have been burnt by the dreadful and dismal Fire which happened in September last; Many of the Tenants, Under tenants, or late Occupiers whereof are liable unto Suits and Actions, to compel them to repair and rebuild the same, and to pay their Rents, as if the same had not been burned, and are not relievable therein in any ordinary course of Law, and great Differences are like to arise concerning the said Repairs, and new Building of the said Houses, and payment of Rents; which if they should not be determined with all speed, and without charge, would much obstruct the rebuilding of the said City.

Three or more of the Judges made a Court.

Their power.

And for that it is just, that every one concerned should bear a proportionable share of the loss, according to their several Interests, wherein in respect of the multitude of cases, varying in their circumstances, no certain general rule can be prescribed; Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, and by the Authority of the same, That the Justices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coise of the Exchequer for the time being, or any three or more of them, sitting, at the same time and place, and not otherwise, shall be, and are hereby Authorized from time to time to hear and to determine all Differences and Demands whatsoever, which have arisen or may any wise arise between Landlords, Proprietors, Tenants, Lessees, Undertenants, or late Occupiers of any the said Houses or Buildings, with their appurtenances, or the Courts or Yards, Grounds and Wharfs, or any person or persons having or claiming any Estate, Right, Title, Interest in Law or Equity, or Trust, Charge or Incumbrance of or in the same, or their or any of their Heirs, Executors, Administrators, Successors or Assigns, or any other persons, for, touching or concerning the Repairing, Building, or Re-building of the said Houses or Buildings, Yards, Courts, Grounds, and Wharfs, or any other Grounds lying within that part of the City and Suburbs thereof lately burnt, pulled down, or otherwise demolished, defaced, or otherwise ruined by reason of the said Fire; or for or concerning the payment, defalcation, apportioning, or abatement of any Rent or Rents, other then Arrears of Rent only due before the first day of September.

tember One thousand six hundred sixty and six; or for or touching any Covenant, Condition or Penalty relating thereunto; or for, touching, or concerning the prefixing or limiting of any time for such Repairs or new Building, Rebuilding, or any Rate or Contribution to be bozn or paid thereunto by any person or persons, Bodies politicke or Corporate interested in the Premises, and all Incidents relating thereunto. And that they, or any three or more of them, from time to time, and at such place or places as they or any three or more of them shall think fit from time to time, with or without any Adjournment, summarily, and sine forma & figura Judicii, and without the formalities of proceedings in Courts of Law or Equity, shall and may, upon the herdia or inquisition of Jurors, testimony of witnesses upon oath, Examination of parties interested, or by all or any of the said ways, or otherwise, according to their Discretions, proceed to the hearing and determining of the Demands or Differences between the said parties concerning the premises; and that the definitive Order of the said Justices and Barons, or any three or more of them as aforesaid, shall be final as between the said parties, their Heirs, Executors, Administrators, Successors and Assigns, and all claiming by, from or under them, as touching the matters contained in such Orders; from which there shall be no Appeal or Review, otherwise then as is hereafter mentioned: Nor shall any Writ of Error or Certiorari lie for the removal or reversal of the same.

Manner of proceedings.

And be it further Enacted by the Authority aforesaid, That the said Justices and Barons, or any three or more of them as aforesaid, shall have Authority, and are hereby Impowered, where they shall think it convenient, to order the Surrendring, Increasing, Abridging, Ceasing, Determining or Charging of any Estates in the Premises; or to order new or longer Leases or Estates, not exceeding Forty years, to be made of any of the premises by the Proprietors or Owners thereof, or other persons interested therein, to any Tenant or Sub-Tenant, or late Occupiers of the same, their Executors, Administrators, Successors or Assigns, at such Rents and Fines, or without any Rent or Fine, as they shall think fit, unless in such Cases where the Laws of this Realm do forbid the Diminishing of ancient and accustomed Rents. All which Orders, according to the Tenors thereof, shall be obeyed by all persons concerned therein respectively, and shall conclude and bind them, their Heirs, Successors, Executors, Administrators and Assigns, respectively, notwithstanding any Disability in respect of Coverture, Infancy, Non-sanity of Memory, Estate Tail, or in Right of the Church, or otherwise: And that Infants, Females Covert, Ideots, persons of Non-sane Memory, or beyond the Seas, Tenants in Tail, Bishops, Deans and Chapters, and other Ecclesiastical persons, and their Successors, Corporations, and all other person or persons, Bodies Natural and Politick, their Heirs and Successors, and their respective Interests, shall be bound and concluded by such respective Order or Orders, according to the Tenour or Purport thereof: Any Law, Statute or Custom, or other matter or thing to the contrary notwithstanding.

Judges general power.

Decrees to bind all persons

And for the better Enabling the said Justices and Barons to proceed with effect in the said Causes, Be it also Enacted by the Authority aforesaid, That the said Justices and Barons, or any three or more of them as aforesaid, upon the complaint or request of any person or persons concerned in any of the said Houses or Buildings and other the premises, shall issue out Notes or Warrants under their hands, or the hands of any such three of them, thereby warning the person or persons, Bodies Politick and Corporate therein named and concerned in the said late Houses or Buildings, and other the premises, in such Complaint mentioned, to appear before them at such time and place as in such Note or Notes shall in that behalf be specified: And upon appearance of the said person or persons summoned, or upon default of appearance, and oath made of due notice given to him

Summons to appear.



him or them, ( which oath, and all other oaths necessary to the Execution of the Powers given by this Act, the said Justices and Barons, or any three of them are hereby Enabled to administer ) The said Justices and Barons, or any three of them, may proceed to make such final and definitive Orders as aforesaid; and that such service of the said Note or Notes as is usually allowed to be a good service in cases of Subpoena, shall be accounted to be a good service in the cases aforesaid.

This is a  
Court of Re-  
cord.

Judgments  
signed.

Where the Re-  
cords shall be  
kept.

Judges to have  
no Fees.

Officers Fees.

Appeal to seven  
Judges.

And be it Enacted by the authority aforesaid, That the said Justices and Barons, or any three of them, for the matters, and according to the powers herein before mentioned, shall be, and shall be taken to be a Court of Record: and that the Judgments and Determinations that shall be made betwixt party and party, by authority of this Act, shall be Recorded in a Book or Books of Parchment to be provided for that purpose; and that every such Judgment and Determination shall be Signed by three or more of the said Justices or Barons: Which said Book or Books of Record shall be placed and intrusted in the custody of the Lord Mayor and Aldermen of the City of London for the time being, to be kept with the Records of the said City, and to remain as a perpetual standing Record: unto which all persons concerned, or which shall be concerned, shall or may repair to view the same, and thereout to take Copies of all such Judgments and Determinations as shall relate to him, her, and them; And that none of the said Justices and Barons shall take any Fee or Reward whatsoever, directly or indirectly, for any thing to be done by them, by virtue or colour of this present Act.

And be it Enacted by the Authority aforesaid, That for a reward of the Officers to be employed herein, the said Justices and Barons, or any three or more of them as aforesaid, are hereby enabled to order and direct a Table of such reasonable Fees to be made, as may carry on and effect the purpose and intent of this Act. This Act to continue till the last day of December, which shall be in the year of our Lord One thousand six hundred sixty and eight, and no longer.

Provided always, and be it Enacted by the Authority aforesaid, That where any such Order or Decree as is aforesaid, shall be made by a lesser number of Justices and Barons than Seven, it shall be lawful for any person aggrieved by such Order or Decree, to present his Exceptions to the same in writing, within seven days next after such Order or Decree made, to the Chief Justice and Chief Baron for the time being, or any two of them, who shall forthwith communicate the same to the rest of the said Justices and Barons, who are hereby required to hear the Parties, and examine and consider the said Exceptions: And if any Seven or more of them shall subscribe thereunto, that they find probable cause of complaint, Then it shall and may be lawful to, and for any Seven or more of the said Justices and Barons, within Twenty days next following such Exceptions delibered, to review the said former Order or Decree: And thereupon to Reverse, Confirm, Enlarge, Diminish, or otherwise alter any such Order or Decree, as in their wisdoms they shall think fit: Any thing herein contained notwithstanding.

CAP.

## CAP. VIII.

## An Act for Rebuilding the City of LONDON.

**F**Orasmuch as the City of London, being the Imperial Seat of His Majesty's Kingdoms, and renowned for Trade and Commerce throughout the world; by reason of a most dreadful fire lately hapning therein, was for the most part thereof burnt down and destroyed within the compals of a few daies, and now lies buried in its own Ruines: For the speedy Restauration whereof, and for the better Regulation, Uniformity, and Gracefulness of such new Buildings as shall be erected for Habitations in order thereunto, And to the end that great and outrageous Fires (through the blessing of Almighty God, so far forth as humane Providence (with submission to the Divine pleasure) can foresee) may be reasonably prevented or obviated for the time to come, both by the matter and form of such Building: And further, to the intent that all Incouragement and Expedition may be given unto, and all Impediments and Obstructions that may retard or protract the undertaking or carrying on a work so necessary, and of so great Honour and Importance to His Majesty and this Kingdom, and to the rest of His Majesties Kingdoms and Dominions, may be removed;

Preamble.

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Rules and Directions hereafter in this Act prescribed, be duly observed by all persons therein concerned.

All future Buildings to be after this method.

And first, That no Building or House for Habitation whatsoever, be hereafter Erected within the limits of the said City and Liberties thereof, but such as shall be pursuant to such Rules and Orders of Building, and with such materials as are herein after particularly appointed, and according to such Scantlings as are set down and prescribed in a Table in this present Act hereafter specified. And if any person or persons shall presume to Build contrary thereunto, and be convicted of the same by the oaths of two or more credible witnesses, to be taken before the Lord Mayor for the time being, or any two or more of the Justices of the Peace for the said City, who are hereby impowred to administer the same oaths, That then and in such case, the said House so irregularly built as aforesaid, shall be deemed a common Nuisance; and the Builder and Levier thereof shall enter into a Recognizance in such sum as the said Mayor and Justices respectively in their Discretions shall appoint, for abatement and demolishing the same in convenient time, or otherwise to amend the same according to such Rules and Orders as aforesaid; and in default of entering into such Recognizance, the Offender shall be committed to the common Goal of the said City, there to remain without Bail or Mainprize, till he shall have abated or demolished, or otherwise amended the same; or else such irregular House shall or may be demolished or abated by Order of the Court of Aldermen.

Penalty of building houses otherwise.

Nuisance.

And that the said irregular Buildings may be the better prevented, or more effectually discovered, Be it further Enacted by the Authority aforesaid, That the Lord Mayor, Aldermen, and Common-Council of the said City shall and may at their will and pleasure, elect, nominate, and appoint one or more discreet and intelligent person or persons in the Art of Building, to be the Surveyors or Supervisors, to see the said Rules and Scantlings well and truly observed. And that it shall be lawful for the said Mayor, Aldermen, and Common-Council, or for the Mayor and Aldermen in their Court of Aldermen, to administer to all the said Surveyors or Supervisors, an Oath upon the holy Evangelists, for the true and impartial execution of their Office in that behalf, and to appoint the several Precincts which shall be under their several Surveys.

Surveyors to prevent irregular buildings.

Surveyors oath

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And



Four sorts of  
houses.

And to the end that all Builders may the better know how to provide and fit their materials for their several Buildings: Be it Enacted, That there shall be only four sorts of Buildings, and no more; and that all manner of Houses so to be erected shall be of one of those four sorts of Buildings, and no other (that is to say) The first and least sort of Houses fronting By-lanes; the Second sort of Houses fronting Streets and Lanes of note; the Third sort of Houses fronting high and principal Streets; the Fourth and largest sort of Mansion-houses, for Citizens or other persons of extraordinary quality, not fronting either of the three former Waies: And the Roofs of each of the said first three sorts of Houses respectively shall be Uniform.

Uniformity.

Common-  
Council to  
declare the  
streets and  
Lanes.

And for avoiding any uncertainty to the Builders, or others herein; Be it further Enacted, That the Lord Mayor, Aldermen, and Common-Council of the said City for the time being, shall on or before the first day of April next ensuing, declare which, and how many shall hereafter be accounted and taken to be By-lanes; which, and how many shall hereafter be deemed Streets, or Lanes of note, and high and principal Streets, by Act of Common-Council to be passed for that purpose; which Declaration being made as aforesaid, all and singular the said Streets and Lanes (hereby intended to be rebuilt) shall by Order of the said Lord Mayor, Aldermen, and Common-Council, or such persons as they under the Common Seal of the said City shall order and appoint, be Marked or Staked out, and distinguished; to the end the Breadth, Length, and Extent thereof may be the better known and observed: And if any person or persons whatsoever, shall wittingly or willingly, without good Authority, pluck up, or remove any of the said Stakes, or Mark-stones, thereby to obscure, or confound the bounds of such Streets, or Lanes, or any of them, and shall be thereof legally convicted by the Oath of one Witness (other then of the Informer) to be taken before any one, or more Justices of the Peace of the said City, That then the said Justice or Justices shall or may send such Offender to the Common-Goal of the said City, there to remain by the space of three Months without Bail or Mainprize, unless he shall pay or cause to be paid, to the use of the Mayor, Commonalty, and Citizens of the said City, the sum of ten pounds, to be employed in and towards the repairing of the publick Buildings of the said City. Provided always, That where any such Offence shall be committed by any person or persons of low and mean condition, whom the said Justice or Justices of the Peace shall in his conscience believe to be unable to satisfy the said Penalties, That then and in such case, the said Justice or Justices of the Peace shall and may, by Order and Warrant under his or their Hands and Seals, cause such Offender to be openly whipped near unto the place where the Offence shall be committed, till his body be bloody: And that it shall and may be lawfull for the said Justice or Justices of the Peace to reward the said Informer out of the Pecuniary Penalty to be incurred, according to his discretion, not exceeding a Third part of the said Penalty.

Marks and  
Stakes.

Penalty to  
remove them.

Conviction  
thereof.

Punishment,

Poor offender  
to be whipped.

Buildings to  
be of Brick.

And in regard the building with Brick is not only more comely and durable, but also more safe against future perils of Fire; Be it further Enacted by and with the Authority aforesaid, That all the outsides of all Buildings in & about the said City, be henceforth made of Brick or Stone, or of Brick and Stone together, except Door-cases and Window-frames, the Vest, Summers, and other parts of the first Story to the Front, between the Peers, which are to be left to the discretion of the Builder, to use substantial Daken Timber instead of Brick or Stone, for convenience of Shops; And that the said Doors, Vest, Summers, and Window-frames be sufficiently discharged of the burthen of the Fabrick by Arch-work of Brick or Stone, either Straight or circular.

Arches to  
sustain the bur-  
den of the  
Fabrick.

Surveyors  
charge.

And be it Enacted, That the said Surveyors, or Supervisors so to be appointed as aforesaid, and every of them, within their several Precincts, shall take care, That in building of all Houses within the said City and Liberties thereof,

thereof, there be, And it is hereby Enacted by the Authority aforesaid, That there shall be Party-walls, and Party-peers set out equally on each Builders ground, to be built up by the first beginner of such Building; and that convenient Toothing be left in the Front-wall by the said first Builder, for the better joyning of the next House that shall be built to the same: And that no man be permitted by the said Surveyors, to build on the said Party-wall, or on his own contiguous ground; until he hath fully reimbursed the said first Builder the full moiety of the charges of the said Party-wall and Peers, together with Interest for the same, after the rate of Six pounds per Cent. per Annum for forbearance thereof, to be accounted from the beginning of the said first building. And in case any difference shall arise between the first and latter builders, concerning the true value of the said Charge, that then, the same be referred to the Alderman of that Ward where such building shall be, and to his Deputy, to mediate an agreement of such difference: And where the said Alderman and his Deputy, or one of them shall be parties, or where they cannot compose such difference as aforesaid, that the matter be referred to the Examination of the Lord Mayor and Court of Aldermen, who shall hear, and finally determine the same, without any appeal to be had.

Party-Walls.

Toothing:

First builder paid for the party-Wall.

Remedy for it.

And be it further Enacted, that the said Houses of the first and least sort of Building, fronting By-streets or Lanes as aforesaid, shall be of two Stories high, besides Cellars and Garrets: That the Cellars thereof be six foot and an half high, if the springs of water hinder not; that the first Story be nine foot high from the Floor to the Ceiling; and the second Story nine foot high from the Floor to the Ceiling; that all Walls in front and rear, as high as the first Story, be of the full thickness of the length of two Bricks, and thence upwards to the Garrets of the thickness of one Brick and an half; and that the thickness of the Garret-walls on the back-part be left to the discretion of the builder, so that the same be not less then the length of one Brick: And also that the thickness of the Party-walls between these Houses of this first and lesser sort of building, be one Brick and an half, as high as the said Garrets; and that the thickness of the Party-Wall in the Garrets, be of the thickness of one Brick in length at the least; and that the Scantlings of Timber and Stone to be used about the building thereof, be as in the said Table are set down and prescribed.

The contents of least houses

And be it further Enacted, That the Houses of the second sort of building, fronting Streets and Lanes of note, and the River of Thames, shall consist of three Stories high, besides Cellars and Garrets as aforesaid; that the Cellars thereof be six foot and an half high (if the springs of water hinder not) that the first Story contain full ten foot in height from the Floor to the Ceiling; the second, full ten foot; the third, nine foot: That all the said Walls in front and rear, as high as the first Story, be of the full thickness of the length of two Bricks and an half; and that the thickness of the Garret-walls on the back-part be left to the discretion of the builder, so that the same be not less then the length of one Brick, and also that the thickness of the Party-walls between every House of this second and larger sort of building; be two Brick lengths as high as the first Story; and thence upwards to the Garrets of the thickness of one Brick and half, the Scantlings of Timber and Stone to be as in the said Table are prescribed.

Contents of second sorts of houses,

Also that the Houses of the third sort of buildings, fronting the high and principle Streets, shall consist of four Stories high, besides Cellars and Garrets as aforesaid; that the first Story contain full ten foot in height from the Floor to the Ceiling; the second, ten foot and an half; the third, nine foot; the fourth, eight foot and an half. That all the said Walls in front and rear, as high as the first Story, be of the full thickness of the length of two Bricks and an half, and from thence upwards to the Garret-floor of the thickness of one Brick and an half; that the thickness of the Garret-walls on the back-part be left to the discretion of the builder, so as the same be not less then the length

Contents of the third sort of houses.



of one Brick; and also that the thickness of the Party-walls between every house of this third and larger sort of building be two Bricks lengths as high as the first Story, and thence upwards to the Garrets of the thickness of one brick and half, the scantlings of Timber and Stone to be as in the said Table are prescribed.

Fourth sort.

And be it further Enacted, that all Houses of the fourth sort of building, being Mansion-houses, and of the greatest bigness, not fronting upon any of the Streets or Lanes as aforesaid, shall bear the same scantlings as in the Table are set down for the same; and that the number of Stories, and the height thereof be left to the discretion of the builder, so as he exceed not four Stories.

Iron Belconies in high Streets.

And be it further Enacted, that in the Front of all houses hereafter to be erected in any such Streets as by Act of Common-Council shall be declared to be High-streets, Belconies four foot broad, with Rails and bars of Iron, of equal distance from the ground, shall be placed; every of which Belconies shall contain in length two parts of the Front of the house on which it shall be placed, in three parts to be divided, and the remaining vacancy of the Front shall be supplied with a Pent-house of the breadth of the Belcony, to be covered with Lead, Slate or Tile, and to be Cieled with Plastering underneath; and that the Water falling as well from the tops of the said Houses, as from the said Belconies and Penthouses, be conveyed into the Channels by Party-pipes on the sides or Fronts of the said Houses; and that Pavements under every of the said Belconies and Penthouses be made of good and sufficient broad flat Stone, at the charge of the builder.

Height of the first floor.

And be it further Enacted, that no builder of any of the Houses fronting any of the said High-streets, streets or Lanes of note, be permitted to lay his first floor over the Cellar more than Eighteen inches above the said Street, or less than Six, with one Circular step to lead up thereunto, to be placed without the building: And that no Trap-doors or open Gates to be in any wise suffered to be made into any such Cellar or Warehouse without the foundations of the Front; but that all Lights to be made into any of them, be henceforth made upright, and not otherwise, and that no bulks, Jetties, Windows, Posts, Seats, or any thing of like sort shall be made or erected in any Streets, Lanes or by-lanes, to extend beyond the antient foundation of Houses; nor that any House be set further into the street then the antient foundation, saving only that in the high and principal Streets, it shall be lawfull for the Inhabitants to suffer their Stall-boards (when their Shop-windows are set open) to turn over, and extend eleven inches and no more, from the Foundation of their Houses into the Streets, for the better conveniency of their Shop-windows.

Steps up to houses.

No Bulks, Jetties, &c.

Extent of Shop-windows.

Ground forfeited if not built in three years.

And be it further Enacted, that if any person or persons, bodies Politick or Corporate, being seised, possessed or interested of, or in any Ground which was formerly builded upon, and the Houses thereupon being now burned or pulled down at the time of the late Fire, shall not within three years next ensuing build up the same, that then the Mayor, Aldermen and Common-Council of the City of London, by Act of Common-Council, may cause Proclamation to be publickly made between the hours of twelve and two of the clock in the afternoon, as well at or upon the said Ground, as also at or upon the publick Exchange of the said City, thereby to give notice to all persons that shall be, or may be therein concerned, to cause the same to be rebuilded according to the direction of this present Act, within the space of nine moneths then next following: And in case the Owners thereof, or other person or persons having Interest therein, shall refuse or neglect to rebuild the same, in manner, and within such time as aforesaid, that then in such case the said Mayor and Court of Aldermen of the said City are hereby Authorized to Issue out Warrants to the Sheriffs of London for the time being, requiring them to Impannel and return before them a Jury of good and lawfull men of the said City, which the said Sheriffs are hereby authorized and required to do accordingly; which Jury so returned,

returned, shall upon their Oaths to be administered to them by the said Mayor and Court of Aldermen (who are likewise hereby Authorized to minister the same) Enquire, Estimate, and Assess the true and just value of such void Ground, according to their Judgments; And that from and after such Inquiry and Valuation thereof made as aforesaid (by Inquest of the said Jury) it shall and may be lawful to and for the said Mayor, Aldermen and Common Council of the said City, to make Sale of the Fee or Inheritance thereof, by Conveyance under their Common Seal, to any person or persons that will purchase the same at such Price at which the same shall have been so as aforesaid Estimated and Valued by the said Jury; and the moneys thereupon to be received of the purchasers thereof, shall be paid into the Chamber of London, and from thence to be issued out and paid by the Chamberlain of London for the time being, unto such person or persons who shall have any Estate or Interest into, or out of the same, according to his or their respective Estate or Estates, Title or Interest: which Sale so made and Introlled of Record, according to the Custom or Usage of the said City for Introllment of Bargains and Sales, shall be final and conclusive to all other persons whatsoever, and shall bar them, their Heirs and Assigns, to claim any Estate, Right, Title or Interest of, in, or out of the Grounds so sold, precedent to the said Sale; And the Purchaser or Purchasers thereof, his and their Heirs and Assigns, shall and may by vertue of this Act, have, hold and enjoy the same against all persons claiming any Estate, Right, Title or Interest into, or out of the same, his and their Heirs, Executors, Administrators and Assigns, freed and discharged of and from Incumbrances in Estate, Title, Charge or otherwise, precedent to the said Sale.

And sold.

And the money paid to the right owner.

And to the end the said Builders may receive due encouragement, by having the materials for building at reasonable prices, and getting of Workmen for moderate wages; Be it further Enacted, that in case of Combination, or unreasonable Exaction by Brick-makers, Tile-makers, and Lime-burners, It shall and may be lawful for the Justices of the Court of Kings Bench, or any two or more of them, upon the complaint of the said Mayor and Court of Aldermen, to call before them such a number of Brick-makers, Tile-makers, and Lime-burners, making or burning Brick, Tile or Lime, at any place within five miles distance of the River of Thames, as they shall think fit; and upon conference with them had concerning the premises, if they will be present, or otherwise in their absence, to Assess such reasonable prices from time to time upon every thousand of the said Bricks and Tiles, and upon every hundred of the said Lime, and every greater or lesser quantity, to be delivered at the several Kilns: And also of all Carriages of the same Materials from the said Kilns to the said City, whether by Land or by Water, as may equally respect the honest profit of the said Brick-makers, Tile-makers, Lime-burners, and Carriers, and the necessity and convenience of the Builder.

Who shall set the prices of Brick, Tiles, and Lime.

And to the intent no Brick-maker, Tile-maker, Lime-burner, Carpenter, Brick-layer, Mason, Plasterer, Joiner, Plumber, or other Artificer, Workman or Labourer, may make the common calamity a pretence to extort unreasonable or excessive Wages; Be it likewise Enacted, That in case of combination or exaction of unreasonable Wages by the said Artificers, Workmen or Labourers, or any of them, the said Justices of the Court of Kings Bench, or any two or more of them, upon the like complaint of the said Lord Mayor and Court of Aldermen, shall and may from time to time, limit, rate and appoint the wages of the said Artificers, Workmen and Labourers, by the day, week, or otherwise, and what wages every of the said Workmen shall have by the great, by the Foot, Yard, Rod or Pearch, or for any greater Quantity; which said Rates, together with the Prices of the said Materials and Carriages so assessed, being set down in a Table, and Proclamation thereof made by the Lord Mayor for the time being accordingly, the same shall effectually bind all persons therein concerned. And if any of the said Artificers refuse to sell the said Materials for the prices so assessed, or any of the said Carpenters, Bricklayers, Masons, Plasterers,

Remedy against exactions of workmen and labourers for their hire.



Penalty of him  
that gives  
more wages  
then is allow-  
ed.

Plasterers, Joyners, Plumbers, or other Workmen or Labourers, shall either refuse to work for the wages so assessed, or shall depart from his said work after he hath undertaken to do the same, without Licence of such person or persons as employed him, and before it be finished, unless it be for non-payment of his hire, or other just cause to be allowed before one Justice of the Peace of such place where the offence shall be committed; or if any person or persons whatsoever shall by any secret wayes or means give, covenant, article or agree to give directly or indirectly, by himself, or any other for him, any other or greater wages, prices, or other commodity then shall be so assessed, the said Offender and Offenders being thereof legally convict by the Oaths of one or more witnesses, which Oath the said Justice is hereby impowered to administer, shall be by the said Justice of the peace forthwith committed to the Common Goal, there to remain by the space of one moneth without Bail or Mainprize, unless he shall pay, or cause to be paid for every such Offence to the said Justice of the peace, such Fine as by the discretion of the said Justice shall be set upon any such Offender, not exceeding Ten pounds; Out of which Fine the said Justice shall and may award and pay unto the party injured such satisfaction as he shall judge reasonable, and the residue thereof shall pay unto the Chamberlain of London for the time being, to be employed for and towards the re-edifying of the publick Buildings of the City aforesaid.

Artificers wor-  
king made free  
of London.

And be it further Enacted, That all Carpenters, Bricklayers, Masons, Plasterers, Joyners, and other Artificers, Workmen and Labourers, to be employed in the said Buildings, who are not Free-men of the said City, shall for the space of seven years next ensuing, and for so long time after as until the said buildings shall be fully finished, have and enjoy such and the same liberty of working, and being set to work in the said building, as the Freemen of the City of the same Trades and Professions have and ought to enjoy; Any Usage or Custom of the City to the contrary notwithstanding. And that such Artificers as aforesaid, which for the space of seven years shall have wrought in the rebuilding of the City in their respective Arts, shall from and after the said seven years, have and enjoy the same Liberty to work as Freemen of the said City, for and during their natural lives. Provided alwayes, that such Artificers claiming such priviledges, shall be liable to undergo all such Offices, and to pay and perform such Duties in reference to the Service and Government of the City, as Freemen of the City of their respective Arts and Trades are liable to undergo, pay and perform,

Differences a-  
bout stopping  
lights.

And to remove all obstacles which otherwise may hinder so good and profitable a work, Be it further Enacted by the Authority aforesaid, that all differences arising between the said Builders, or any others, concerning placing & stopping up of Lights, Windows, Water-courses or Gutters, which may hinder or retard the said building, shall and may be heard, mediated and determined (if it may be) by the Alderman of the Ward where the cause of any such difference shall arise, and his Deputy; and if either the said Alderman or his Deputy be concerned as parties in the controversie, or that they cannot determine the said Differences, that then, and in every such case the same be certified by the said Alderman or his Deputy unconcerned therein, to the said Mayor and Court of Aldermen, who upon deliberate hearing of all parties, shall finally determine the same without further or other Appeal.

Pitching and  
paving Streets,  
Vaults, Sew-  
ers.

And be it further Enacted by the Authority aforesaid, That the numbers and places for all common Sewers, Drains, and Vaults, and the order and manner of paving and pitching the Streets and Lanes within the said City and Liberties thereof, shall be designed and set out by such and so many persons as the said Mayor, Aldermen and Commonalty in Common-Council assembled, shall from time to time authorize and appoint under their Common Seal, or the more part of them; which said persons so authorized and appointed, or any seven or more of them, together with the said Surveyors, or some or one of them, within his or their Precinct respectively, shall at their meeting have power and authority

authority to order and direct the making of any new Vaults, Drains and Sewers, or to cut into any Drain or Sewer already made, and for the altering, enlarging, amending, cleansing and scouring of any old Vaults, Sinks, or Common Sewers. For the better effecting whereof, it shall and may be lawful to and for the said persons so authorized and appointed as aforesaid, or any seven or more of them, at their said meeting, to impose any reasonable Tax upon all Houses within the said City and Liberties thereof, in proportion to the benefit they shall receive thereby, for and towards the new making, cutting, altering, enlarging, amending, cleansing and scouring all and singular the said Vaults, Drains, Sewers, pavements and pitching aforesaid: And in default of payment of the said sums so to be charged, it shall and may be lawful to and for the said persons so authorized as aforesaid, or any seven or more of them, by Order and Warrant under their hands and seals, to levy the said sum and sums of moneys so assessed, by Distress and sale of the goods of the party chargeable therewith, and refusing or neglecting to pay the same, rendering the overplus (if any be.) And that all other Commissioners whatsoever be altogether suspended to intermeddle in the premises within the said City and Liberties thereof, for the space of seven years next, and for so long after until the said intended buildings shall be fully finished; Any Law or Statute to the contrary in any wise notwithstanding.

A tax to do it.

And be it further Enacted, That it shall and may be lawful to and for the Lord Mayor, Aldermen and Common Council of the said City, from time to time, to prohibit such Trades and Occupations as they shall judge noisome, or perilous in respect of Fire, to be used or exercised in the high or principal Streets of the said City.

Noysom and  
perillous  
trades not to  
be in principal  
streets.

And forasmuch as the freedom or openness of the Street conduceth much to the advancement of Trade, and Ornament of the City; Be it further Enacted, that it shall and may be lawful to and for the said Mayor, Aldermen and Commonalty, by Order of Common Council in that behalf to be made, from time to time, and at their will and pleasure, to remove out of any of the high Streets all or any of the Conduits now standing, or hereafter to be erected, and to set up and to erect the same in such other publick places within the said City as they shall think fit, or to contract the same into any smaller or lesser compass in the places where they now stand, or hereafter shall be erected as aforesaid, according to their discretions.

Conduits in  
streets altered.

And whereas many antient Streets and Passages within the said City and Liberties thereof, and amongst others, those which are hereafter mentioned, were narrow and incommodious for Carriages and Passengers, and prejudicial to the Trade and Health of the Inhabitants, and are necessary to be enlarged, as well for the Convenience, as Ornament of the City; Be it Enacted by the Authority aforesaid, That the Mayor, Aldermen, and Commons of the said City for the time being, in Common Council assembled, shall and may, and are hereby impowered and required to enlarge all and every the Streets and Places hereafter mentioned, where, and in such manner as there shall be cause, by and with the Approbation of his Majesty, and not otherwise: that is to say, the Street called Fleetstreet, from the place where the Greyhound Tavern stood, to Ludgate, and from thence to Saint Pauls Church-yard; the Street leading from the East-end of Saint Pauls Church into Cheapside; the Street and Passage at the East-end of Cheapside, leading into the Poultry; the Street and Passage out of the Poultry, leading into the West-end of Cornhill, at or near the place late called the Stocks; the Street called Blowbladder-street, leading from the West-end of Cheapside towards Newgate-Market; and to enlarge the street and passage from thence towards Newgate-Market, by laying the Ground where the Middle-Row in the Shambles there lately stood, into the said street; and in like manner to enlarge the passage from Newgate-Market towards Newgate, by laying the Ground of the late four Houses between Warwick-lane end in Newgate-Market, and the late Bell-Inn there, into the Street: And in like manner

Streets by  
name to be en-  
larged.

to



to enlarge, as there shall be cause, the Lane called, Ave-Maria-Lane, leading from Paternoster-Row, to Ludgate-Street; And the Street or Passage at the end of Saint Martins le Grand towards Blow-bladder Street aforesaid; And also the Passage from St. Magnus Church to the Conduit in Gracious-Street, and the North end of Gracious-Street; and also Thames-Street, from the West-corner of St. Magnus Church aforesaid, to the Tower-Dock; and to enlarge Old Fish-Street, by laying the Middle-Row there into the Street.

Other Streets  
enlarged at  
discretion.

And the said Mayor, Aldermen, and Common-Council, also shall and may by vertue of this present Act enlarge and make wider any other such strait and narrow passages within the said City, as are less then fourteen foot in breadth: So as notice be given to the Owners or parties interested in the Ground to be so taken for the enlarging thereof, on or before the first day of May next ensuing. And are and shall be also further enabled by vertue of this Act, to make or cause to be made a new Street leading and extending from the Guildhall of the said City into Cheapside; the same to be of such breadth and wideness, as they shall judge meet and convenient.

Satisfaction  
to losers of  
ground.

And to the end that reasonable satisfaction may be given for all such Ground as shall be taken and imployed for the uses aforesaid; The Mayor, Aldermen, and Common Council shall and may treat and agree with the Owners and others interested therein: And if there shall be any Persons, Bodies Corporate or Collegiate, that shall wilfully refuse to treat and agree as aforesaid, or through any disability by Monage, Coverture, or especial Entail, or other impediment, cannot; That in such cases, the said Lord Mayor and Court of Aldermen are hereby authorized by vertue of this Act, to issue out a Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to Impannel and return a Jury before the said Lord Mayor and Court of Aldermen; Which Jury upon their Oaths to be administered by the said Lord Mayor and Court of Aldermen, are to Inquire and Assess such Damage and Recompence as they shall judge fit to be awarded to the Owners, and others interested, according to their several and respective Interests and Estates of, and in any such Houses or Ground, or any part thereof, for their respective Interests and Estates in the same, as by the said Lord Mayor, Aldermen, and Commons in Common-Council assembled, shall be adjudged fit to be converted for the purposes aforesaid: And such Verdict of the Jury, and Judgment of the said Lord Mayor and Court of Aldermen thereupon, And the payment of the sum or sums of money so awarded or adjudged to the Owners, and others having Estate or Interest, or tender and refusal thereof, shall be binding to all intents and purposes against the said Parties, their Heirs, Executors, Administrators and Assigns, and others claiming any Title or Interest in the said Houses or Ground, and shall be a full Authority for the said Lord Mayor, Aldermen, and Commons, to cause the same to be converted and used for the purposes aforesaid.

Houses impro-  
ved by open-  
ing Streets to  
pay to losers  
of ground.

And forasmuch as the Houses now remaining, and to be rebuilt, will receive more or less advantage in the value of their Rents, by the liberty of Air, and free Recourse for Trade, and other Conveniencies by such Regulation and Enlargement; It is also Enacted by the Authority aforesaid, That in case of refusal, or incapacity as aforesaid of the Owners, or others interested of, or in the said Houses, to agree and compound with the said Lord Mayor, Aldermen, and Commons for the same, Thereupon a Jury shall and may be Impanelled in manner and form aforesaid, to Judge and Assess upon the Owners, and others interested of, and in such Houses, such competent sum and sums of Money, with respect to their several Interests, in consideration of such improvement and melioration, as in reason and good conscience they shall think fit: And all sums of Money that shall be so assessed and Raised as aforesaid, shall be paid to the Chamberlain of the City of London for the time being; who is hereby enabled from time to time to receive and recover the same by Action at Law, and whose Receipt shall be a good Discharge to such Owners, or others

others interested; And who is hereby appointed to receive and pay, and be accountable for the same, according to such Directions as shall from time to time be given him by the said Lord Mayor, Aldermen, and Commons; And the Money so raised, shall be wholly employed towards payment and satisfaction of such Houses and Ground as shall be converted into Streets, Passages, Markets, and other publick places, aforesaid; And such satisfaction so given or tendered, and refused as aforesaid, shall devest the Propriety, Estate, and Interest of the respective Owners, and others having Interest of and in such parcels of Ground, so to be taken and employed for the uses aforesaid, by virtue of this Act: Which shall be, and are hereby actually Settled and Invested in the said Lord Mayor, Commonalty and Citizens of the City of London, and their Successors, in like manner as other the Common-streets and High-ways within the said City.

And in case any Controversies or differences shall happen to arise between several persons that shall claim several Estates or Interests into, or out of any Grounds to be sold by the said Mayor, Aldermen, and Common-Council, or by them to be taken and disposed of by vertue, and in pursuance of this Act, to and for the uses aforesaid; That then the Justices of the Courts of Kings Bench and Common Pleas, and Barons of the Court of the Exchequer for the time being, or any three or more of them, shall be, and are hereby authorized to hear, and finally to order and determine the same in a summary way of proceeding, and without the formalities or ordinary course of proceedings used in any the said Courts, to order and award such Distribution to be made of the Money thereby arising, for the satisfying of such several Interests and Claims, as to them shall seem just and reasonable, according to the respective Estate or Estates, Title or Interests of the person or persons making Claim thereunto; According to which order and distribution to be made and appointed by the said Justices and Barons, or any three or more of them, the said Purchase-money shall be satisfied and paid by the said Chamberlain, to the said several persons respectively.

Controversies  
about Titles.

And that the said Citizens and their Successors for all the time to come, may retain the Memorial of so sad a Desolation, and reflect seriously upon their manifold Iniquities, which are the unhappy causes of such Judgments: Be it further Enacted, That the Second day of September (unless the same happen to be Sunday, and if so, then the next day following) be yearly for ever hereafter observed as a day of Publick Fasting and Humiliation within the said City and Liberties thereof, to implore the Mercies of Almighty God upon the said City, to make devout Prayers and Supplication unto him, to divert the like Calamity for the time to come.

A solemn fast  
in memory of  
the desolation,

And the better to preserve the memory of this Dreadful Visitation, Be it further Enacted, That a Column or Pillar of Brass or Stone be erected on, or as near unto the place where the said Fire so unhappily began, as conveniently may be, in perpetual Remembrance thereof, with such Inscription thereon, as hereafter by the Mayor and Court of Aldermen in that behalf be directed.

A pillar of memorial erected,

And be it Enacted, And it is hereby Enacted by the Authority aforesaid, That all Tenders of Money, or Payment thereof, which by any Bonds, Covenants, or other Obligations or Assurance whatsoever, ought to be made in the late Assurance Office, or in any other place on the late Royal Exchange London, shall or may be made at, or in the present Assurance Office in Gresham-House; And shall be as valid and legal to all intents and purposes, and discharge the Obligor as fully and amply, as if they had been made in the first intended place on the said Royal Exchange.

Places of tender of money altered,

And it is hereby further Enacted, That the Parish Churches to be Rebuilt within the said City of London, in lieu of those which were Demolished by the late Fire, shall not exceed the number of thirty nine; Which shall be set out and appointed by, and with the advice and consent of the Lord Archbishop of Canterbury, and the Bishop of London for the time being.

But thirty  
nine new  
Churches,



Materials of  
Churches not  
rebuilt and  
the ground  
how disposed  
of.

Provided also, And be it Enacted by the Authority aforesaid, That the Scites and Materials of such Churches as by this Bill are not intended to be Rebuilt, together with the Church-yards belonging to such Churches, shall be, and are hereby vested in the Lord Mayor and Aldermen of the City of London for the time being; to the end so much of the said Ground as shall not upon the Rebuilding of the said City, be laid into the Streets, be sold and disposed of by the said Lord Mayor and Aldermen, or the major part of them for the time being, with the consent of the Archbishop of Canterbury, and Bishop of London for the time being; and the Money raised by such Sale, shall be by the said Mayor and Aldermen, or the major part of them, with the consent of the said Archbishop and Bishop, disposed of, and imployed for and towards the Rebuilding of such Parish-Churches as by this Act are intended to be Rebuilt; and for no other use or purpose whatsoever.

St. Faiths and  
St. Gregory by  
Pauls excepted

Provided also, That any thing in this Act contained, shall not extend or be taken to vest or settle the Church of St. Paul, and St. Faiths, or any part thereof, or the Church of St. Gregorys by St. Pauls, or any of them, or the Church-yards to any of them belonging or appertaining, in the Mayor, Aldermen, and Commons of the City of London, or any of them; Any thing in this Act notwithstanding.

Thames Street  
raised,

And be it Enacted, That for the preventing Inundations, and for easiness of Ascent, the Street called Thames-Street, and all the ground between the said Street and the River of Thames, shall be raised and made higher by three foot at the least above the surface of the ground as now it lieth.

Distances of  
Cranes and  
Houses from  
the River and  
Fleet ditch,

Provided also, And it is hereby further Enacted by the Authority aforesaid, That no House, Out-house, or other building whatsoever (Cranes and Sheds for present use only excepted) shall be built or erected within the distance of Forty foot of such part of any Wall, Key, or Wharf, as bounds the River of Thames, from Tower-Wharf to London-Bridge, and from London-Bridge to the Temple-Stairs: Nor any House, Out-house or other building, (Cranes only excepted) be built or erected within the distance of threescore and ten foot of the middle of any part of the Common-Sewers, commonly called or known by the names of Bridewell-Dock, Fleet-Ditch, and Turnmil-Brook, from the River of Thames to Clarkenwell, upon either side of them, before the four and twentieth day of March, which shall be in the year of our Lord, One thousand six hundred sixty eight.

An additional  
Custom upon  
Coals for  
building the  
publick build-  
ings of the  
City.

And for the further enabling of the said Mayor and Commonalty, and Citizens of the said City of London, and their Successors to perform and accomplish the works in this Act mentioned; Be it Enacted by the Authority aforesaid, That for all sorts of Coals, which from and after the four and twentieth day of June, One thousand six hundred sixty seven, and before the four and twentieth day of June, One thousand six hundred seventy seven, shall be imported and brought into the Port of the City of London, or the River of Thames, within the liberty of the said City of London, upon the same River to be sold by the Chauldron or Tun, there shall be paid by way of Imposition thereupon (over and besides all other Impositions and Duties due and payable for any sort of the said Coales, by vertue of any Law or Statute now in force) according to the Rates hereafter mentioned; That is to say, for such sorts of Coals as are usually sold by the Chauldron, for every Chauldron thereof, containing thirty six bushels Winchester measure, the sum of twelve pence; and for all such sorts of Coals as are sold by the Tun, for every Tun thereof, containing twenty hundred weight, the like sum of twelve pence; which said Imposition of twelve pence for every Chauldron or Tun of Coals, shall from time to time, during the term aforesaid, be answered and paid unto the said Mayor, and Commonalty and Citizens, and their Successors, or to their Deputy or Deputies, Officer, or Assigns, by the Master, Owner or Owners, or other person or persons taking charge of any Ship or Vessel whereupon the same shall be laden, before they shall break Bulk, or have a Meter assigned for the measuring or weighing

weighing of any Coals aforesaid, to be delivered from on board any such Ship or Vessel, the same to be paid at such place or places, as by the said Mayor and Court of Aldermen shall from time to time be appointed for the receipt thereof: Upon receipt whereof, the party appointed to receive the same, shall without delay, fee or reward, deliver a Receipt to the person or persons who shall pay the said Duty; which Receipt shall for so much be a sufficient discharge.

And to the end that the said Imposition may be duly answered and paid without fraud or covin, and for the better Levying and Collecting thereof, and for discovery of the just quantities of all sorts of Coals to be Imported as aforesaid; be it further Enacted by the Authority aforesaid, that the Coal-meters for the City of London, appointed, or to be appointed, and every of them, and their respective Deputies in their turn and course of attendance respectively, so soon as any Ship or Vessel freight with Coals shall be unladen, shall forthwith deliver a true Certificate in writing, unto the Deputy or Deputies, Officers or Assigns of the said Mayor and Commonalty, and Citizens; who shall be appointed to receive the said Imposition, of the sorts, quantities, and number of Chaldrons or Tuns of Coals respectively which shall be measured, or weighed and delivered from on Board any such Ship or Vessel, on pain for his or their default therein, to be suspended from the execution and benefit of his or their Office or Employment for one whole year from thence next following: And in case it shall appear by such Certificate or otherwise, that there was on Board any such Ship or Vessel a greater number of Chaldrons or Tuns of Coals, then for which the said Imposition shall have been answered and paid as aforesaid; that then in such case there shall be paid to the said Mayor and Commonalty, and Citizens, and their Successors, for every Chaldron or Tun of Coals so concealed, over and above the Imposition aforesaid, the sum of five shillings; for which (in case of refusal to pay the same) such Ship or Vessel, or any the tackle, furniture or Apparel thereof, may be attached & detained by warrant from the Mayor of the said City for the time being, until payment thereof.

Rules and Remedie for the custome.

Provided nevertheless, that if the Importer, upon such Certificate delivered in by the Coal-meter, shall within four and twenty hours, give in his Post-entry, and satisfie and pay the whole Duty for the surplussage of Coals appearing upon the unloading of such Ship or Vessel, that then upon such payment, the penalty aforesaid shall be discharged.

Post-entry of traight of Coals.

And be it further Enacted, that all and every such sum and sums of Money which shall be raised upon the Receipt of the said Imposition of Twelve pence for every Chaldron or Tun of Coals, or by such additional Duty, in case of concealment as aforesaid, shall in the first place be applied and disposed unto, and for the satisfaction of such persons whose Ground shall by vertue, and in pursuance of this Act, be taken and employed for the enlarging of the Streets, and narrow passages within the said City: And after satisfaction given for the same, the residue of the said Moneys shall be applied and disposed unto, and for the satisfaction of such persons whose Grounds shall be employed for the making of Wharfs or Keys on the North-side of the River of Thames, and upon each side of the Sewer called by the name or names of Bridewell-Dock, Fleet-Ditch, and Turnmill-Brook; and also for the building and making such Prisons within the said City, as shall be necessary for the safe Custody and Imprisonment of Felons, and other Malefactors.

Imployment of the money raised by Coals.

And to the end the Moneys to be raised upon the Imposition aforesaid, may be duly applied to the uses for which the same is by this Act appointed, be it further Enacted, that there shall from time to time be provided, and kept in the Chamber of London, one or more book or books of Vellum or Parchment, in which all moneys thereupon to be received, shall from time to time be entered and set down: And also other like book or books, wherein the Accompts of all payments and disbursements out of the same shall be likewise entered; expressing the time when, the occasion for which, and the name of the person or persons to

Books of Account of the money.



whom the same were so paid or disbursed. And that it shall and may be lawful to and for all and every person and persons, that shall or may be in any wise concerned so to do, to have free access unto, and view the said respective books of Receipts and Disbursements at all times, when the Chamberlains Office is open, without any Fee or Reward to be taken, or demanded for view or inspection thereof: And that the Chamberlain of London for the time being, before the end of Michaelmas Term in every year, shall transmit, and upon his Oath deliver into the Receipt of Exchequer, a true Copy or Duplicate of the aforesaid books of Accompts, containing the Receipts and Disbursements of all Monies which shall be raised and paid by or out of the said Imposition upon Coals, in the year preceding, and ending upon the four and twentieth day of June next before; there to be received gratis by the proper Officer, and kept amongst the Records of the said Court; where it shall also be lawful for any person or persons, who shall be in any wise concerned so to do, to have access thereunto, and to view, and peruse the said books of Accompts, without any Fee or Reward to be taken or received for the same.

Morris his  
Water-house.

Provided alwaies, that it shall and may be lawful for the Water-house, called Mr. Thomas Morris his Water-house, formerly adjoyning to London-Bridge, to be rebuilt upon the place it formerly stood, with Timber, for the supplying the South-side of the City with water, as it for almost this hundred years hath done; Any thing in this Act to the contrary in any wise notwithstanding.

Provided also, And it is hereby further Enacted by the Authority aforesaid, that the Lord Mayor and Aldermen of London, may and shall open and enlarge a Street or passage called Water-Lane, leading from Fleetstreet to White-Friars Dock by the River of Thames; as also open and enlarge a Street or passage to the said River from Cheapside through Soper-Lane to Thames-Street, and from the Three-Cranes to the Thames; And open and enlarge one other Street or passage through Mincing-Lane, by St. Dunstons in the East, to Thames-Street near the Custom-house: And to make the said Streets or passages twenty four foot in breadth, for the conveniency of Trade, and better passage of Carts, and other carriages to and from the said River; giving notice of what they shall herein resolve, to the proprietors and persons concerned, before the last day of May, which shall be in the year of our Lord, One thousand six hundred sixty seven; and giving them satisfaction for their ground, according to the Rules and Directions of this Act for the enlarging of other Streets and places.

A Scheme of Proportions and Scantlings for Stories, Walls, and Timbers for the Building of lesser and larger Houses within the City of LONDON.

Brick.	Division of Story.	Height of Story.	Thicknes of walls.	Bricks.
First sort, being the least Houses fronting By-streets and Lanes.	Cellars	Foot 6 $\frac{1}{2}$	To the first Floor. 2	1 $\frac{1}{2}$
	1 Story	9	2 <sup>d</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	2 Story	9	3 <sup>d</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	Garrets		1	1
	Cellars	Where the springs prevent not. 6 $\frac{1}{2}$	To the first Floor. 2 $\frac{1}{2}$	2
Second sort, Houses fronting all streets lanes of note, and River of Thames.	1 Story	10	2 <sup>d</sup> 2	1 $\frac{1}{2}$
	2 Story	10	3 <sup>d</sup> 2	1 $\frac{1}{2}$
	3 Story	9	4 <sup>th</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	Garrets		1	1
	1 Story	10	1 <sup>st</sup> 2 $\frac{1}{2}$	2
Third sort, Houses fronting all High-streets and Lanes of Note.	2 Story	10 $\frac{1}{2}$	2 <sup>d</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	3 Story	9	3 <sup>d</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	4 Story	8 $\frac{1}{2}$	4 <sup>th</sup> 1 $\frac{1}{2}$	1 $\frac{1}{2}$
	Garrets		1	1
	Cellars	Not less in height clear then. 6 $\frac{1}{2}$	Thicknes of Walls in Front and Keer from the Foundation. 2	Thicknes of Walls between House and House. 1 $\frac{1}{2}$

Scantlings of Timber for the first sort of Houses.

For the Floors	Summers under	Foot. 15	Inches. 12	Inches. and 8
	Wall-plates		7	and 5
For the Roof	Principal Rafters under	Foot. 15	at foot 8	at top 5
	Single Rafters		4	and 3
	Length. Foot.	Thicknes.	Depth.	
Joynts to 10	3	8	7	Inches.
Garret-floors	3	6		

Scantlings



## Scantlings of Timber for the other two sorts of Houses.

	Foot.	Foot.	Breadth. Inches.	Depth. Inches.	Thickness. Inches.	Depth. Inches.
Summers or Girders which bear in length from	10--to--15	15--18	11--13	8--9	3	6
Joysts which bear 10 Foot					3	7
					3	7
					3	8
					3	8
Principal Discharges upon Peers				Inches. 13 and 12		
In the first Story in the Fronts				Inches. 15--13		
Binding Joysts with their Trimming Joysts					5--depth equal to their own Floors.	
Wall-plates, or raising Pieces and Beams					Inches. 10--and--6	
					8--6	
					7--5	
Lintels of Oak in the					Inches. 8--&--6	
1st & 2d story					5--4	
3d story						
Principal Rafters	Length. Foot.	Foot.			Thickness. Inches.	Inches.
from	15 to 18				at foot 9	7
					at top 7	
	18--21				at foot 10	8
					at top 8	
	21--24				at foot 12	8½
					at top 9	
	24--26				at foot 13	9
					at top 9	
Purlines from	Length. Foot.	Foot.			Inches.	Inches.
	15 to 18				9--8	
	18--21				12--9	
Single Rafters					Foot. Inches. Inches.	
					not exceeding in length--9--5--4	
					not exceeding in length--6--4--3½	

Scantlings for Sawed Timber and Laths, usually brought out of the West-Country, not less then.

	Foot.	Breadth. Inches.	Thickness. Inch.
Single Quarters in length	8	3½	1¼
Double Quarters in length	8	4	3½
Sawed Joysts in length	8	6	4
Laths in length	5	1¼	1 quarter & ½ of Inch.

Stone.		Inches.
Where Stone is used, to keep to these Scantlings	First sort of Houses	Corner Peers 18 square
		Middle or single Peers 14 and 12
		Double Peers between House and House 14 and 18
		Door-jambs and Heads 12 and 8
	2d and 3d sorts	Corner Peers 2--6-square
		Middle or single Peers 18-square
		Double Peers between House and House 24 and 18
		Door-jambs and Heads 14 and 10

Scantlings for Sewers { 3 wide { Side-walls 1 brick ½ { Bottom paved plain, and then  
 { 5 high { Arch 1 brick on end { 1 brick an edge circular.

General

## General Rules.

**I**n every Foundation within the Ground, add one Brick in thickness to the thickness of the Wall (as in the Scheme) next above the Foundation, to be set off in three Courses equally on both sides.

That no timber be laid within twelve Inches of the Foreside of the Chimney-Jambs; And that all Joists on the Back of any Chimney be laid with a Trimmer at six Inches distance from the Back.

That no Timber be laid within the Tunnel of any Chimney, upon penalty to the Workman for every default, ten shillings, and ten shillings every Week it continues unreformed.

That no Joists or Rafter be laid at greater distances from one to the other, then twelve Inches; and no Quarters at greater distance then fourteen Inches.

That no Joists bear at longer length then ten Foot; and no single Rafter at more in length then nine Foot.

That all Roofs, Window-frames, and Cellar-floors be made of Oak, The Nails-pins of Oak.

No Summers or Girders to lie over the Head of Doors and Windows.

No Summer or Girder to lie less then ten Inches into the Wall; no Joists then eight Inches, and to be laid in Lome.

## CAP. IX.

An Act for Relief of poor Prisoners, and setting of them on work.

**V**hereas there is not yet any sufficient Provision made for the Relief Preamble.  
and setting of work of poor and needy persons committed to the Common Goal for Felony and other misdemeanors, who many times perish before their Trial; and the Poor there living idly and unemployed, become debauched, and come forth instructed in the practice of Thievery and lewdness: For remedy whereof, Be it Enacted by the Kings most Excellent Majesty, with advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, That the Justices of the Peace of the respective Counties, at any their General Sessions, or the major part of them then there assembled, if they shall find it needful so to do, may provide Stock of such Materials as they find convenient for the setting poor Prisoners on work, in such manner, and by such wayes as other County-charges by the Laws and Statutes of the Realm are and may be levied and raised; And to pay, and provide fit persons to oversee and set such Prisoners on work; and make such Orders for Accompts of and concerning the premises as shall by them be thought needful, and for punishment of neglects and other abuses; and for bestowing of the Profit arising by the labour of the Prisoners so set on work for their Relief, which shall be duly observed; and may alter, revoke, or amend such their Orders from time to time. Provided that no Parish be rated above Six pence by the week towards the premises, having respect to the respective values of the several Parishes.

A publick stock to be provided.

And whereas sometimes by occasion of the Plague, and otherwhiles by the great number of Prisoners, great and infectious Diseases have happened among the Prisoners, whereby it hath come to pass sometimes that the Judges, Justices and Jurors, have upon occasion of their Attendance at the Trial of Prisoners, been infected, and many of them died thereof, and sometime such Infection hath spread in the Country: For some Remedy therein, Be it by the same Authority Enacted, That any Sheriff of the respective Counties, having the Custody of the Goal, or such persons who have the Custody of the Goal, with

Prevention of contagion among the poor.



with the advice and consent of three or more Justices of the Peace, whereof one to be of the Quorum, may, if they shall on inquiry or information find it needful, upon emergent occasions in the respective Counties, provide other safe places, for the removal of sick, or other persons, from and out of the ordinary and usual Goals, the same places to be used and employed for the reception and custody of Prisoners, to be by or according to their Order or Orders kept, ordered, disposed and conveyed to the places appointed for the Goal-delivery, in such and like manner as such Prisoners ought to be kept, ordered, disposed and conveyed in and from the Common Goals by the Laws and Statutes of the Land. Provided no such place be made use of for the purposes aforesaid, against the good and free will of the Owners thereof.

Prisoners removed in time of contagion,

Provided also, and be it Enacted by the Authority aforesaid, That the Mayor, Bayliff, and other Head-Officer, or any other person and persons, who have and hath the Custody of the Common Goal within any Corporation of this Kingdom and Dominion of Wales, shall by and with the advice of three or more Justices of Peace within the said Corporation, whereof one of them to be of the Quorum, in time of Infection, have the like power and authority for removing his and their Prisoners into some other convenient place within their Jurisdiction, as to them shall seem fit, during the time of Infection; And also to raise a Stock after the same rates and proportions, as is herein before allowed to and for the several Counties within this Kingdom.

Rules and Orders for Exeter Workhouse.

Provided also, and be it further Enacted by the Authority aforesaid, as followeth, (viz.) That whereas there is already provided a strong and sufficient Messuage in the Parish of S. Thomas the Apostle near the City of Exon for the purpose aforesaid, and One thousand pounds more by certain Trustees upon Proposals and Agreements made by them, with certain Gentlemen, Justices of the Peace for the County of Devon, who have also provided One thousand pounds more in order to purchase Lands of Inheritance for the good purposes hereafter mentioned: Be it Enacted by the Authority aforesaid, That the said two thousand pounds be laid out in purchase of Lands of Inheritance, by Order of the General Sessions of the Peace hereafter at any time to be held, in the name of such persons as by such Order shall be appointed. Item, That the said House, with the Grounds therewith inclosed, be had and used as a Common Goal and Workhouse for the said County, in manner as is after expressed.

Overseer thereof.

Item, That an Overseer be therein placed by like Order, and by like Order be removeable from time to time; which Overseer shall have the charge, custody, and government of the Prisoners to him committed according to this Act, and

His Salary.

shall have fifty pounds per annum during the execution of his Office, and ten pounds per annum for his Deputy; but shall therefore take no Fees for receiving, delivering, or doing any other service relating to the Prisoners, from or of any the said Prisoners. Item, That the said Justices by like Order from time to time shall and may, by approbation of the Ordinary, provide and appoint

Preacher

some meet and discreet Minister to read Divine Service according to the Orders of the Church of England unto the Prisoners, at least four days in the week, that is to say, on the Lords day, each Wednesday, and each Friday and Saturday, and oftner, if the said Justices shall appoint, and to take pains in instructing them each Lords day at the least, for which they may allow him thirty pounds per annum, or after that rate, the rest of the Profits to be for Repairing the House, and towards finding a Stock for to set the Prisoners on work.

His Salary.

Offenders sent higher.

Item, That any person charged with such offence only for which Clergy is allowable, if so be he be needy and indigent, and not likely to maintain himself in Goal, may by Warrant of the Justice or Justices of the Peace to whom Jurisdiction in that behalf appertaineth, be committed to the said Workhouse in order to his Trial; and if any person shall be committed to the ordinary Goal, who shall be or become so indigent; he may by Warrant of three Justices of Peace, whereof one to be of the Quorum, be removed from the ordinary common Goal to the said House: All which Prisoners so committed or removed

bed

ved, shall be in the custody of the Overseer, and be ordered and demeaned in the said House, and conveyed to the Sessions, or to the Goal-delivery, by like Warrant, way and means, as the Prisoners in other Goals by the Laws and Statutes of this Realm are to be ordered and demeaned. And thence conveyed to Assizes and Sessions.

And because the said Work-house is distant from the ordinary Common Goal, the Prisoners by order from the Sessions or Goal-delivery may, in order to their Trials, be removed to the Common Goal, to be the more ready for their Trials. Item, That the said Overseer shall give Security for the Stock, and be liable to such Regulations and Orders for Accompts and otherwise, as the Sessions shall from time to time make for setting the poor Prisoners on work there, which shall be obeyed and observed. That a convenient Stock be from time to time raised at the Charge of the County. Item, That the said Justices in the County of Devon may put in use all the powers in this Act, as other Justices may in any other County by vertue thereof.

Saving to the Kings Majesty, his Heirs and Successors, and to every other person and persons, and their Heirs, Successors, Executors and Administrators, all Rights, Titles, Claims and Demands whatsoever, into or out of the said Messuages and Premises, as if this Act had never been made.

## C A P. X.

An Act extending a former Act concerning *Replevins* and *Avowries*, to the Principality of *Wales* and the County Palatines.

**W**hereas by an Act of Parliament, Entituled, An Act for the more speedy and effectual proceeding upon Distresses and Avowries for Rents, Provision is made where any Plaintiff shall Pursuit before Issue joyned in any Suit or Replevin, by Plaint or Writ lawfully returned, removed, or depending in any of the Kings Courts at Westminster: Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, That the said Act, and all the Powers and Provisions thereby made for causes of Replevins depending in His Majesties Courts of Westminster, shall be extended, and be of the same force and efficacy in all causes of Replevin, which are or shall be depending in His Majesties Court of Common Pleas for the County Palatine of Lancaster, the Courts of the Great Sessions of His Majesties Principality of Wales, the Court of Great Sessions or Assizes for the County Palatine of Chester, and the Court of Common Pleas for the County Palatine of Durham, as fully and as amply for and during the continuance of the said Act, as if the said Courts had been mentioned therein. 17. Car. II. c. 7.

## C A P. XI.

An Act for Redress of Inconveniencies by want of Proof of the Deceases of Persons beyond the Seas, or absenting themselves, upon whose Lives Estates do depend.

**W**hereas divers Lords of Manors and others have used to grant Estates by Copy of Court-Roll for one, two, or more, life or lives, according to the Custom of their several Manors; and have also granted Estates by Lease for one or more life or lives, or else for years determinable upon one or more life or lives; And it hath often hapned, that such person or persons for whose life or lives such Estates have been granted, have gone beyond the Seas, or so absented themselves for many years, that the Lessors and Reversioners cannot find out whether such person or persons be alive or dead, by reason whereof such Lessors and Reversioners have been held out of possession of their Tenements for many years after all the lives upon which such Estates depend are dead; Preamble. Grievance.



He who claims  
land for ano-  
thers life must  
prove him  
alive.

in regard that the Lessors and Reversioners when they have brought Actions for the recovery of their Tenements, have been put upon it to prove the death of their Tenants, when it is almost impossible for them to discover the same :

For remedy of which mischief so frequently hapning to such Lessors or Reversioners, Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That if such person or persons for whose life or lives such Estates have been, or shall be granted as aforesaid, shall remain beyond the Seas, or elsewhere absent themselves in this Realm by the space of seven years together, and no sufficient and evident proof be made of the lives of such person or persons respectively, in any Action commenced for recovery of such Tenements by the Lessors or Reversioners, in every such case the person or persons upon whose life or lives such Estate depended, shall be accounted as naturally dead; And in every Action brought for the recovery of the said Tenements by the Lessors or Reversioners, their Heirs or Assigns, The Judges before whom such Action shall be brought, shall direct the Jury to give their Verdict, as if the person so remaining beyond the Seas, or otherwise absenting himself, were dead.

Challenge to  
Jurors Leases  
for lives.

And be it further Enacted, That in any such Action wherein the life or death of any such person or persons shall come in question between the Lessor or Reversioner, and the Tenant in possession, it shall and may be lawful for the Lessor or Reversioner to take exception to any of the Jurors returned for the trial of that cause, that the greatest part of the real Estate of any of such Jurors is held by Lease or Copy for lives, who upon proof thereof shall be set aside as in case of other legal challenges.

Proviso for the  
Duke of York.

Provided alwaies, and be it Enacted by the Authority aforesaid, That nothing in this Act contained shall extend to any Lands held by the life or lives of any person or persons attainted of Treason for the horrid murder of his late Majesty of blessed memory, who now conceal or hide themselves, which Lands are or have been vested in His Majesty, and are now granted to his Royal Highness the Duke of York, but that the course of Evidence heretofore used in such cases shall be had and used; Any thing to the contrary in this Act notwithstanding.

If the suppo-  
sed dead man  
prove to be a-  
live, then the  
title is reve-  
sted.

Provided alwaies, and be it Enacted, That if any person or persons shall be evicted out of any Lands or Tenements by vertue of this Act, and afterwards if such person or persons upon whose life or lives such Estate or Estates depend, shall return again from beyond the Seas, or shall on proof in any Action to be brought for recovery of the same, be made appear to be living, or to have been living at the time of the Eviction, That then and from thenceforth the Tenant or Lessee, who was outed of the same, his or their Executors, Administrators or Assigns, shall or may reenter, repossess, have, hold, and enjoy the said Lands or Tenements in his or their former Estate, for and during the Life or Lives, or so long term as the said person or persons, upon whose Life or Lives the said Estate or Estates depend, shall be living; and also shall upon Action or Actions to be brought by him or them against the Lessors, Reversioners or Tenants in possession, or other persons respectively, which since the time of the said Eviction received the Profits of the said Lands or Tenements, recover for damages the full Profits of the said Lands or Tenements respectively, with lawful Interest for and from the time that he or they were outed of the said Lands or Tenements, and kept or held out of the same by the said Lessors, Reversioners, Tenants, or other persons, who after the said Eviction received the Profits of the said Lands or Tenements, or any of them respectively, as well in the case when the said person or persons, upon whose Life or Lives such Estate or Estates did depend, are or shall be dead at the time of bringing of the said Action or Actions, as if the said person or persons were then living.

Action for the  
mean profits.

## CAP. XII.

An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to His Majesties Navy Royal.

**V**hereas divers Fightings, Quarrellings and Disturbances do often happen in and about His Majesties Offices, Yards and Stores for His Majesties Royal Navy, and frequent Differences and Disorders are occasioned in the Office of His Majesties Treasury of the Navy on Pay-dayes, in London, Portsmouth, and other places of meeting for the Service of the said Navy; And that either by the unreasonable Turbulency of Seamen and others, attending on, or relating to that Service, or their Creditors, or by the rudeness of the Officers intrusted with His Majesties Stores on Land, or in His Royal Ships, when they are questioned by the Principal Officers and Commissioners of the said Navy, either for neglect or Imbezelmēt of His Majesties Provisions, Ammunition, or other Equipage of the Navy under their Charge; and that not only to the disturbance of the Peace, but sometimes to the danger and hindrance of His Majesties Service; both in point of husbanding His Majesties Revenue, and also on the dispatch of the Ships, on which the Honour and Safety of His Majesty and Kingdom so much depends; Which inconveniences require a speedier remedy then the ordinary attendance on the Sessions of Peace can give; the parties Accused, or Offending, being many times bound to Sea, and the Principal Officers and Commissioners for want of Authority to suppress such Insolencies, and determine such Cases, being necessitated to pass by many Offences, in which His Majesty might be righted, if their necessary attendance on that important Service, would permit the prosecution of the Offenders before other ordinary Judicatures.

Be it therefore Enacted by the Kings most Excellent Majesty, with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, That the Treasurer, Comptroller, Surveyor, Clerk of the Acts, and the Commissioners of the Navy for the time being, or any one or more of them, have power and authority to examine and punish all such person and persons whom they upon their enquiry, examination, or on view in their presence, shall find hereafter to make, or have made any Disturbance, Fighting or Quarrelling in the Yards, Stores or Offices aforesaid, at Pay-dayes, or on other occasions relating to the Naval Services, in such manner as followeth, (that is to say) that they, or any one or more of them, may punish any the said Offences, by Fine, Imprisonment, or either of them, the Fine not exceeding twenty shillings, and Imprisonment not exceeding one week; And have power in such cases to commit such persons to the next Goal, or to the custody of the Messenger or Messengers for the time being, attendant on them, who respectively are to receive and detain such person so offending: And that the said principal Officers and Commissioners, or the greater number of them then present, have power to discharge such Fine or Imprisonment, if they think fit; And for non-payment of the Fine so imposed, and not remitted, to Imprison the party offending, until payment thereof; which said Fines shall be paid to the Clerk of the Chest, for the use of the maimed Seamen; And that the examination of Witnesses be upon Oath before him or them, which they, any one or more of them are accordingly impowered to Administer.

And it is further by Authority aforesaid Enacted, That the said Officers and Commissioners, or any one or more of them (in cases where greater example or punishment is needful) may also bind the person or persons offending, to their good behaviour, with or without Securities, as occasion shall be.

And whereas divers of His Majesties Stores and Ammunition pertaining to His Navy and Shipping, or Service thereof, are imbezelled or filched away, It is by like Authority Enacted, that the said Principal Officers and Commissioners, or any one or more of them, by Warrant under their hands and seals,

Preamble.

Punishment of fighting and quarrelling.

Fine and Imprisonment.

Employment of fines.

To bind to good behaviour.

Search for Ammunition imbezelled.



Penalty of offenders.

have power in like manner to inquire and search for the same in all places, as Justices of Peace may do in case of Felony, and punish the Offenders by such Fine and Imprisonment as aforesaid, and cause the Goods to be brought in again: And if the offence be of such nature as doth require an higher and severer punishment, then that they, any one or more of them may commit such Offender to the next Goal, or to the custody of their Messenger or Messengers aforesaid, till he or they offending, enter into Recognizance, with Surety or Sureties, according to the nature of the Offence, to appear and answer to the same in His Majesties Court of Exchequer, or other Court where his Majesty shall question him or them for the same, within one year following, on Process duely served for that purpose on such Offender or Offenders.

Officers to exercise the power given by this Act in any Franchise.

And it is Declared and Enacted by the Authority aforesaid, That they the said Principal Officers and Commissioners, or any one or more of them, may put in use the said Powers on the Offenders as aforesaid, in all places where they hold an Office for his Majesty, as well within Liberties as without; Any Law, Statute, Ordinance, Charter, or Privilege to the contrary notwithstanding.

Executors of Seamen shall pay but 12 d. for proving the Will.

And for the better encouraging of such Mariners and Souldiers as now do, or shall serve His Majesty in His Fleet or Ships during this War, Be it further Enacted by the Authority aforesaid, that no Ordinary Register, or other Officer belonging to any Ecclesiastical Court, or Court of Orphans, or any Jurisdiction whatsoever within the Kingdom of England, or Dominion of Wales, or Town of Berwick, shall take or receive of the Executor or Administrators, Executors or Administrators of any Mariner or Souldier dying in the pay of His Majesties Navy during this present War, above the sum of twelve pence for the Probate of any Will, Registering the same, granting Letters of Administration, Exhibiting any Inventory, or for any other matter or thing relating thereunto; And for every default herein by wilful delay in the doing, granting, or executing the Premises, the person or persons so offending, shall forfeit to the party grieved, the sum of ten pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesties Courts of Record at Westminster, or elsewhere, wherein no Essoyn, Privilege, Protection, or Wager of Law shall be allowed; Any Law, or Statute, or Usage to the contrary notwithstanding.

Penalty for taking more.

This Act to continue for two years, from the first day of February, One thousand six hundred sixty and six; and from thence to the end of the next Session of Parliament.

To continue.

### CAP. XIII.

An Act for granting the Sum of Twelve hundred fifty six thousand three hundred fourty seven pounds thirteen shillings to the Kings Majesty, towards the Maintenance of the present War.

Grant of the tax to the King.

**W**E Your Majesties most Dutiful and Loyal Subjects, the Commons assembled in Parliament, as a further Aid and Assistance of Your Majesty during the present Wars, have given and granted, and by these presents do give and grant unto Your most Excellent Majesty the Sum of Twelve hundred fifty six thousand three hundred fourty seven pounds thirteen shillings, to be raised and levied in manner following: And we do most humbly beseech Your Majesty that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, and by the Authority of the same, that the Sum of twelve hundred fifty six thousand three hundred fourty seven pounds thirteen shillings, shall be raised, levied and paid unto Your Majesty within the space of eleven Months, in manner following, that is to say;

Whereas in and by a certain Act of Parliament lately passed, Entituled, An Act for granting a Royal Aid unto the Kings Majesty of Twenty four hundred

dred threescore and seventeen thousand and five hundred pounds, to be raised, levied and paid in the space of three years, It was amongst other things Enacted, that the Sum of threescore and eight thousand eight hundred and nine. <sup>16, 17. Car. 2. cap. 1.</sup> teen pounds and nine shillings by the moneth, for thirty six moneths, from the five and twentieth day of December, One thousand six hundred sixty four, should be assessed, taxed, collected, levied and paid by twelve quarterly payments, in the several Counties, Cities, Boroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the several Rates and Proportions, and in such manner as in the said Act is expressed. And whereas also in and by one other Act of Parliament passed in the Sessions of Parliament lately held at Oxford, Entituled, An Act for granting the Sum of Twelve hundred and fifty thousand pounds to the Kings Majesty for His present further Supply; It was amongst other things further Enacted, that the Sum of Fifty two thousand fourscore and three pounds six shillings eight pence by the moneth, for twenty four moneths, beginning from the five <sup>17 Car. 2. cap. 1.</sup> and twentieth day of December, One thousand six hundred sixty and five, should be likewise assessed, taxed, collected, levied and paid by Eight Quarterly payments, in the several Cities, Boroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, over and above the said Sum of threescore and eight thousand eight hundred and nineteen pounds and nine shillings, as an addition to, and increase of the said Monethly Assessment, according to the Rates and Proportions therein expressed; Both which Sums together amount unto the Sum of One hundred and twenty thousand nine hundred and two pounds fifteen shillings eight pence by the moneth. And whereas also in and by one other Act of Parliament passed in the same Sessions, Entituled, An Act for granting one Monethly Assessment to his Majesty; It was amongst other things Enacted, That the Sum of One hundred and twenty thousand nine hundred and two pounds fifteen shillings and eight pence for one Moneths Assessment, beginning upon the six and twentieth day of December, One thousand six hundred sixty and seven, and ending upon the Six and twentieth <sup>17 Car. 2. cap. 9.</sup> day of January in the same year, should be assessed, taxed, collected, levied and paid in the several Counties, Cities, Boroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the rates and proportions therein expressed:

It is now further Enacted by the Authority aforesaid, That the Sum of One hundred and fourteen thousand two hundred and thirteer pounds eight shillings five pence half-penny by the moneth, for eleven moneths, beginning from the Six and twentieth day of January, One thousand six hundred sixty and seven, shall be assessed, taxed, collected, levied and paid by four payments, in the <sup>An eleven moneths tax.</sup> several Counties, Cities, Boroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the rates, rules and proportions, and in such manner as herein hereafter is expressed: that is to say, for every of the said Eleven moneths,

**F**or the County of Bedford, the sum of One thousand five hundred seventy five pounds twelve shillings six pence farthing.

For the County of Berks, the sum of One thousand nine hundred eighty nine pounds four shillings nine pence three farthings.

For the County of Bucks, Two thousand three hundred and ten pounds four <sup>Rates of the several Counties.</sup>teen shillings three pence.

For the County of Cambridge, One thousand seven hundred ninety one pounds eighteen shillings one penny half-penny.

For the Isle of Ely, Six hundred and fourteen pounds thirteen shillings nine pence.

For the County of Chester, One thousand three hundred thirty seven pounds five shillings five pence.

For the City and County of the City of Chester, the sum of threescore and ten pounds seven shillings eight pence. For



For the County of Cornwall, the sum of two thousand seven hundred and seven pounds seven pence farthing.

For the County of Cumberland, the sum of two hundred ninety and five pounds thirteen shillings four pence farthing.

For the County of Derby, the sum of One thousand five hundred and fifteen pounds one shilling three pence three farthings.

For the County of Devon, the sum of Five thousand six hundred seventy four pounds five shillings eleven pence farthing.

For the City and County of the City of Exon, the sum of two hundred and four pounds eight shillings six pence half-penny.

For the County of Dorset, the sum of two thousand three hundred sixty two pounds two pence half-penny.

For the Town and County of Pool, the sum of Nineteen pounds five shillings eleven pence farthing.

For the County of Durham, the sum of Five hundred sixty eight pounds eighteen shillings two pence farthing.

For the County of York with the City and County of the City of York, and Town and County of Kingstone upon Hull, the sum of Six thousand ninety four pounds thirteen shillings nine pence three farthings.

For the County of Essex, the sum of Five thousand four hundred forty three pounds four shillings eleven pence three farthings.

For the County of Gloucester, the sum of three thousand one hundred seventy seven pounds two shillings nine pence farthing.

For the City and the County of the City of Gloucester, the sum of threescore and nine pounds four shillings three pence farthing.

For the County of Hereford, the sum of One thousand nine hundred eighty eight pounds one shilling five pence three farthings.

For the County of Hertford, the sum of two thousand three hundred sixty four pounds five shillings eight pence half-penny.

For the County of Huntingdon, the sum of One thousand one hundred and thirteen pounds five shillings six pence.

For the County of Kent, with the City and County of the City of Canterbury, the sum of Five thousand eight hundred forty four pounds thirteen shillings two pence half-penny.

For the County of Lancaster, the sum of One thousand seven hundred sixty eight pounds nine shillings ten pence half-penny.

For the County of Leicester, the sum of One thousand nine hundred and five pounds eleven shillings nine pence three farthings.

For the County of Lincoln, with the City and County of the City of Lincoln, the sum of four thousand five hundred twenty three pounds seventeen shillings two pence farthing.

For the City of London, with the Liberties of S. Martins le Grand, the sum of two thousand two hundred fifty five pounds ten shillings and two pence.

For the County of Middlesex, with the City and Liberty of Westminster, the sum of three thousand nine hundred thirty six pounds ten pence.

For the County of Monmouth, the sum of six hundred eighty five pounds two shillings nine pence three farthings.

For the County of Northampton, the sum of two thousand four hundred eighty three pounds eighteen shillings three pence farthing.

For the County of Nottingham, with the Town and County of the Town of Nottingham, the sum of One thousand five hundred thirty four pounds seven shillings two pence half-penny.

For the County of Norfolk, the sum of Five thousand nine hundred twenty one pounds seven shillings four pence farthing.

For the City and County of the City of Norwich, the sum of three hundred and sixteen pounds four shillings four pence farthing.

For the County of Northumberland, with the town of Newcastle, and Berwick upon

upon Tweed, the sum of six hundred fifty four pounds seventeen shillings eleven pence farthing.

The County of Oxon, the sum of one thousand nine hundred ninety four pounds seventeen shillings four pence farthing.

The County of Rutland, the sum of four hundred twenty two pounds eight shillings one penny farthing.

The County of Salop, the sum of two thousand one hundred and fourteen pounds twelve shillings eight pence farthing.

The County of Stafford, the sum of one thousand four hundred ninety seven pounds fifteen shillings nine pence half-penny.

The City and County of the City of Litchfield, the sum of twenty two pounds sixteen shillings nine pence farthing.

The County of Somerset, the sum of four thousand eight hundred sixty eight pounds eighteen shillings ten pence three farthings.

The City and County of the City of Bristol, the sum of three hundred and fifty pounds six shillings six pence farthing.

The County of Southampton, with the town and county of Southampton and Isle of Wight, the sum of three thousand eight hundred forty six pounds six shillings seven pence.

The County of Suffolk, the sum of five thousand seven hundred ninety four pounds fifteen shillings three pence farthing.

The County of Surrey, with the Borough of Southwark, the sum of two thousand eight hundred and five pounds eleven shillings six pence half-penny.

The County of Sussex, the sum of three thousand one hundred ninety nine pounds fifteen shillings one penny three farthings.

The County of Warwick, with the city and county of the city of Coventry, the sum of two thousand and ninety four pounds fifteen shillings and eleven pence.

The County of Worcester, the sum of one thousand eight hundred fifty one pounds ten shillings and ten pence.

The City and County of the City of Worcester, the sum of ninety seven pounds nine shillings and three farthings.

The County of Wilts, the sum of three thousand four hundred fifty five pounds seven shillings one penny half-penny.

The County of Westmerland, the sum of two hundred and three pounds fifteen shillings eight pence half-penny.

The Isle of Anglesey, the sum of two hundred and twenty pounds fifteen shillings and ten pence.

The County of Breknock, the sum of four hundred ninety six pounds six shillings six pence.

The County of Cardigan, the sum of one hundred eighty five pounds sixteen shillings and eleven pence three farthings.

The County of Carmarthen, the sum of four hundred and seventy eight pounds ten shillings three pence half-penny.

The County of Carnarvan, the sum of two hundred fifty seven pounds eleven shillings three farthings.

The County of Denbeigh, the sum of three hundred ninety two pounds thirteen shillings eight pence half-penny.

The County of Flint, the sum of two hundred and eight pounds sixteen shillings three pence three farthings.

The County of Glamorgan, the sum of six hundred and sixty five pounds fourteen shillings one penny three farthings.

The County of Merioneth, the sum of one hundred seventy seven pounds one shilling nine pence three farthings.

The County of Montgomery, the sum of four hundred eighty five pounds eighteen shillings eight pence.

The County of Pembroke the sum of five hundred seventy three pounds eleven shillings seven pence three farthings.

The



The County of Radnor, the sum of three hundred and six pounds five shillings two pence three farthings.

The Town of Haverford-West, the sum of twenty six pounds and thirteen shillings.

Commissioners as formerly.

They to Act as the former Commissioners.

Commissioners power.

First payment.

Second.

Third.

And be it further Enacted by the Authority aforesaid, That all and every the persons who are nominated in and by the said first recited Act, and in and by an Act passed this present Session of Parliament, Entituled, An Act for raising money by a Poll, and otherwise, towards the Maintenance of the present War, to be Commissioners of & for the several and respective Counties, Cities, Boroughs, Towns and places therein, or in either of them mentioned, shall likewise be so, and so are hereby appointed to be Commissioners for execution of this present Act, within the several and respective Counties, Cities, Boroughs, Towns and places for which they were nominated in the aforesaid Acts, or either of them, and shall have and execute the like power and authority, rules and directions touching the better Assessing, Collecting, Levying, Receiving and Paying the said One hundred and fourteen thousand two hundred and thirteen pounds thirteen shillings half-penny by the month, during the said eleven months, as in and by the said first mentioned Act were given to the said Commissioners, touching the better Assessing, Collecting, Receiving and Paying the threescore and eight thousand eight hundred and nineteen pounds nine shillings by the month, payable as aforesaid: And all and every person or persons who shall be liable unto, or any wales concerned or employed in the assessing, collecting, levying, receiving or paying any of the moneys by this Act imposed, shall have like benefit, advantages, allowances and discharges, and shall be subject to like penalties and forfeitures in case of any neglect, or refusal to pay their respective Assessments, or to perform their respective Duties, as any other person or persons liable unto, or concerned, or employed in the assessing, collecting, levying, receiving or paying any of the Moneys by the said former Acts imposed, ought to have, or be subject unto, as fully and amply as if the same Clauses, matters and things had been in this Act particularly Repeated and Enacted.

To the end that the said eleven monthly Assessments granted by vertue of this present Act may be duly answered and paid in as aforesaid; Be it further Enacted, That the several Commissioners shall meet together at the most usual and common place of meeting, as in the said first recited Act is directed, on or before the second Tuesday in February, which shall be in the year of our Lord, One thousand six hundred sixty seven, to put this Act in execution according to the best of their judgments and discretions: and shall then, if they see cause, subdivide as well themselves as others, as by the said Act is further directed concerning the said former Assessment; And further, That they meet at least three weeks before each payment of the said several Assessments, for the purposes aforesaid. And that the said payments of one hundred and fourteen thousand two hundred and thirteen pounds eight shillings and five pence half penny by the month, shall be assessed, collected, levied and paid to the Receiver of the several Counties appointed, or that shall be appointed by his Majesty, and by them answered and paid into his Majesties Exchequer on the daies and times hereafter mentioned and expressed; Be it Enacted by the Authority aforesaid, That the sum of two hundred twenty eight thousand four hundred twenty six pounds sixteen shillings & eleven pence, being the first payment for the first two months of the aforesaid eleven months hereby imposed, shall be assessed, collected, levied and paid in to the said Receiver-general of the said several Counties, who shall be appointed by his Majesty, and who are hereby required to transmit or cause the same to be paid into his Majesties Receipt of his Exchequer, on or before the first day of May, in the year of our Lord, One thousand six hundred sixty and eight. And the sum of three hundred forty two thousand six hundred and forty pounds five shillings four pence half-penny, being the second payment of the said eleven months, on or before the first day of August in the year of our Lord, One thousand six hundred sixty and Eight. And the sum of three hundred forty two thousand six hundred and forty pounds five shillings four pence half-penny, being the third payment of the said eleven

eleven months, on or before the first day of November, in the year of our Lord, One thousand six hundred sixty and eight. And the sum of three hundred forty two thousand six hundred and forty pounds five shillings four pence half-penny, being the fourth & last payment of the said eleven months, on or before the first day of February in the year of our Lord, One thousand six hundred sixty & eight.

Fourth.

And to the intent that all moneys to be lent to your Majesty, and the moneys that shall be due upon such contracts for Wares, Ships, Goods or Victuals, or other necessaries, which shall be delivered for your Majesties Service upon the Credit of this Act, by any person or persons, Native or Foreigner, Bodies Politick or Corporate, may be well and sufficiently secured out of the moneys arising and payable thereby; Be it further Enacted by the Authority aforesaid,

Security for money lent upon this Act.

That there shall be provided and kept in your Majesties Exchequer, to wit, in the Office of the Auditor of the Receipt, one Book or Registry, in which all moneys that shall be paid into the Exchequer, arising or payable by this Act, shall be entered and registered apart and distinct from all other moneys paid or payable to your Majesty, or to your Heirs or Successors upon any other branch of your Revenue, or upon any other account whatsoever; And that there be one other book or Registry provided and kept in the said Office, of all Orders and Warrants to be made by the Lord Treasurer, or Under-treasurer, or by the Commissioners of the Treasury for the time being, for payment of all and every sum and sums of moneys to all persons, for moneys lent, Wares, Goods, or Victuals, or other necessaries bought, or Ships hired, or other payments directed by your Majesty, relating to the Service of this War, upon the moneys arising and payable by this Act; And that no moneys leviable by this Act be issued out of the Exchequer, but by such Order or Warrant mentioning that the moneys payable by such Order or Warrant are for the Service of your Majesty in the said War respectively, during the said War. That also there be the like Book or Registry provided and kept by the said Auditor, of all moneys paid out, or issued, by virtue of such Orders and Warrants; And that it shall be lawful for any person or

Books in the Exchequer.

persons, willing to lend any moneys, or to furnish any Wares, Victuals, Ships, goods, or other necessaries, on the Credit of this Act, at the usual times when the Exchequer is open, to have access unto, and view and peruse all or any of the said Books, for their information of the state of those moneys, and all engagements upon them, for their better encouragement to lend any moneys, or furnish any Goods, Wares, Victuals, Ships, or other necessaries as aforesaid: And that the Auditor of the Receipt, his Deputy or Clerk, shall be assistant to such persons for their better and speedier satisfaction in that behalf. And that all and every person and persons, who shall lend any moneys to your Majesty, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his repayment, bearing the same date with his Tally, in which Order shall be also contained a Warrant for payment of Interest for forbearance after the rate of six per cent. per annum for his consideration, to be paid every six months, untill the repayment of his Principal: And that all person and persons who shall furnish your Majesty, your Officers of the Navy or Ordnance, with any Wares, Goods, Ships, Victuals, or any other necessaries for the Service aforesaid, shall upon Certificate of the Commissioners and Officers of the Navy, or of the Master, or Commissioners and Officers of the Ordnance, or some of them, without delay forthwith have made out to them Warrants or Orders for the payment of the moneys due or payable unto them; which Certificates the said Officers of your Navy, Commissioners and Officers of the Ordnance shall make without fee, charge, or delay: And that all Orders for repayment of moneys lent, shall be registered in course, according to the date of the Tallies respectively; And that all Orders signed by the Lord Treasurer and Under-treasurer of the Exchequer, for payment of moneys, for Goods, Wares, and Victuals, and other necessaries furnished to your Majesty, your Officers, Master, or Commissioners as aforesaid, shall be registered in course, according to the time of bringing to the Office of the Auditor

The books open to view.

Tallies to lenders of money to the King.

Interest for money lent.

Remedy for Debts for Naval preparations.

Orders registered and paid in due course.



of Receipt the Certificates above mentioned; And that all Orders so signed for Payments directed by his Majesty, shall be entered in course according to their respective Dates; And none of the sorts of Orders above mentioned, either for Loans of Moneys, Supplies of Wares, Goods, Victuals, Ships, or other necessities, or by special direction, shall have preference one before another, but shall all be entered in their course according to the dates of the Tallies, the times of bringing the Certificates, and the dates of the Orders for Payment directed by his Majesty, as they are in point of time respectively before each other. And that all and every person and persons shall be paid in course according as their Orders shall stand entered in the said Register-book, Be it Orders for Payments directed by his Majesty, or for moneys lent, or for Wares, Commodities, or other necessities furnished as aforesaid: So as that that person, his Executors, Administrators and Assigns, who shall have his Warrant or Order, Warrants or Orders first entered in the said book of Registry, shall be taken and accounted as the first person to be paid upon the moneys to come in by virtue of this Act; And he or they that shall have his or their Warrants or Orders, Warrant or Order next entered, shall be taken and accounted the second person to be paid; and so successively and in course. And that the moneys to come in by this Act, shall be in the same order liable to the satisfaction of the said respective parties, their Executors, Administrators or Assigns, Native or Foreigner, successively, without preference of one before another, and not otherwise; and not be divertible to any other use, intent or purpose, upon any account or reason whatsoever. And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of your Majesties Subjects for providing or making such Books, Registers, Entries, Views, Search, Certificate, in or for payment of money lent, or the Interest thereof, or for payment of any money upon any Order, upon any Contract for Wares and Goods furnished to the use of your Majesties Navy and Ordnance as aforesaid, by any of your Majesties Officer or Officers, their Deputies or Clerks, on pain of payment of treble damages to the party grieved by the party offending, with costs of Suit; And if the Officer himself take or demand any such Fee or Reward, then to lose his place also; And if any undue preference of one before another shall be made either in point of Registering contrary to the true meaning of this Act, by any such Officer or Officers, then the party offending shall be liable by Action of Debt, or on the Case, to pay the value of the Debt, damages and Costs to the party grieved, and shall be forejudged from his place or Office; And if such preference be unduely made by any his Deputy or Clerk, without direction or privity of his Master, then such Deputy or Clerk only shall be liable to such Action, debt, damages and costs, and shall forever after be incapable of the same: And in case the Auditor shall not direct the Order, or the Clerk of the Pells record, or the Cellar make payment according to each persons due place and order, as aforesaid directed; then he or they shall be judged to forfeit, and their respective Deputies and Clerks herein offending, be liable to such Action, debt, damages and costs, in such manner as aforesaid.

Provided alwaies, and it is hereby declared, That if it happen that several Tallies of Loan, or Certificates for Wares delivered, or Orders for Payments from his Majesty, as aforesaid, bear date, or be brought the same day to the Auditor of the Exchequer, to be Registered; Then it shall be interpreted no undue preference which of these he enters, so he enter them all the same day.

Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, If the Auditor direct, and the Clerk of the Pells record, and the Cellar do pay subsequent Orders of persons that come to demand their money, and bring their Orders before other persons, that did not come to demand their money, and bring their Orders in their course, so as there be so much money reserved as will satisfie their Orders; which shall not be otherwise disposed, but kept for them, Interest upon Loan being to cease from the time the money is so reserved and kept in Bank for them.

And be it further Enacted by the Authority aforesaid, that every person or persons

No fees for  
the books.

Penalty to de-  
mand such  
Fees.

Several Tal-  
lies.

Payments  
must be de-  
manded in  
course.

sons to whom any money shall be due by vertue of this Act, after warrant or Order entred for payment thereof, his Executors, Administrators, or Assigns, by Indorsement of his Order or Warrant, may assign and transfer his interest and benefit of such Warrant to any other; which being notified, and an entry and memorial thereof also made in the said Registry for Warrants (which the Officer shall on request, without Fees or Charge, accordingly make) shall entitle such an Assignee, his Executors, Administrators and Assigns, to the benefit thereof, and payment thereon: And such Assignee may in like manner assign again, and so Tories quonies; And afterwards it shall not be in the power of such person or persons who have made such Assignments, to make void, release or discharge the same, or the moneys thereby due, or any part thereof.

Provided alwaies, and be it further Enacted by the Authority aforesaid, that the sum of three hundred and eighty thousand pounds shall be charged and registered in the Book of Register appointed by this Act to be kept in the Office of the Auditor of the Receipt of the Exchequer, to be paid to the Treasurer of the Navy for the time being, out of the money payable for the last ten moneths of the eleven moneths Assessment granted by this Act, for the Salaries and Wages of such Officers, Seamen, Mariners and Souldiers, as are or shall be employed aboard Your Majesties Navy for this present Winter, beginning at the first day of January, One thousand six hundred sixty six; and aboard Your Majesties Navy for the Summer, in the year of our Lord, One thousand six hundred sixty seven. The said three hundred and eighty thousand pounds to be charged and registered as aforesaid, in manner and form following: (that is to say) When Orders shall be first registered for one hundred thousand pounds for the Service of the War, to be paid out of the money arising upon the said ten moneths in course, as is by this Act directed and prescribed; that then, and immediately after, one or more Orders shall be registered for the payment of two hundred thousand pounds, part of the three hundred and eighty thousand pounds above mentioned, to the Treasurer of the Navy, to be by him employed for the paying of the Wages of Officers, Mariners, Seamen and Souldiers, as is above mentioned. And when Orders shall be registered for One hundred thousand pounds more for the Service of the War, upon the said ten moneths: then and immediately after, one or more Orders shall be registered for the sum of One hundred thousand pounds more in further part of the three hundred and eighty thousand pounds above mentioned: And when Orders shall be registered for One hundred thousand pounds more for the Service of the War; then and immediately after, one or more Orders shall be registered for the sum of Eighty thousand pounds, in full of the three hundred and eighty thousand pounds above mentioned: Which said sums of two hundred thousand pounds, one hundred thousand pounds, and eighty thousand pounds, shall be paid in course as they stand registered, according to the rules and directions, and under the penalties upon the Officers of the Exchequer, their Deputies and Clerks, prescribed and contained in the Proviso of this Act for registering and paying in course.

And it is hereby further Enacted, that if the Treasurer of the Navy do divert or employ the said three hundred and eighty thousand pounds, or any part thereof, to any use or service whatsoever, other then for the payment of the Salaries and Wages of such Officers, Seamen, Mariners and Souldiers as shall be employed aboard Your Majesties Navy as aforesaid, until the said Wages and Salaries shall be fully and entirely paid and discharged; that then, and in such case, he shall forfeit treble the value of the money diverted or employed contrary to the intent and meaning hereof, to be recovered in any of His Majesties Courts at Westminster, by Action of Debt, Bill, Plaint or Information, wherein no Essoyn, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction or Order of Restraint shall be in any wise granted or allowed, nor any more then one Imparllance: One moiety whereof to be to such person as shall sue for the same, and the other moiety to Your Majesty, Your Heirs and Successors.

Provided alwaies, and be it Enacted by the Authority aforesaid, that whate-

A Portion to  
pay Seamen  
only.

Penalty of  
mis-employing  
that proportion.



Supply of the  
said proporti-  
on.

ver moneys shall be wanting, or fall short of the twelve hundred and fifty thousand pounds granted by an Act of this present Parliament, Entituled, An Act for granting the sum of Twelve hundred and fifty thousand pounds to the Kings Majesty for his present further Supply, towards the paying in course the several sums of money registred for the Service of the present War, according to the Power and Direction of the said Act, shall be supplied and paid out of the first moneys granted by this Act, and payable for and in the first moneth therein mentioned and granted; Any thing in this Act to the contrary in any wise notwithstanding.

*Summe to be paid  
of the Navy etc.*

And be it further Enacted by the Authority aforesaid, that the Treasurer of His Majesties Navy, for himself, his Deputies and Clerks, shall receive and retain only the sum of one penny in the pound, and no more: And the Lieutenant or Treasurer of His Majesties Ordnance, for himself and his Clerk, shall likewise receive and retain only one penny in the pound, and no more, out of all the moneys raised, borrowed and paid unto, and issued out by either of them, to any person or persons, by vertue and in pursuance of this Act, to be allowed in their respective Accompts thereof.

Provided alwaies, and be it Enacted by the Authority aforesaid, That if any person being a Receiver of moneys due upon any former Act of this present Parliament, not having accompted for all the moneys by him received, and to be accompted for upon such Act or Acts before Christmas, One thousand six hundred sixty seven, shall be appointed Receiver for any the moneys due by this Act, and shall intermeddle therein; Every such person shall forfeit the sum of Five hundred pounds, to be recovered by any person or persons that will sue for the same in any of His Majesties Courts of Record, by Action of Debt, Bill, Plaint, or other Information, wherein no Essoyn, Protection, Wager of Law, Aid, Payer, Priviledge, Injunction, or Order of restraint shall be in any wise prayed, granted or allowed, nor any more then one Imparlance.

Recovery of  
the Tax.

And be it Enacted by the Authority aforesaid, That where any money shall by vertue of this Act be assessed upon any Inhabitants or place, being within any Castle, Fort, or Garrison, if such money so assessed be not paid within twenty daies after such assessment, That then the Commissioners for such places shall make Certificate thereof unto the Barons of the Exchequer, who shall cause such Proceedings to be had for the recovery thereof, as for any other Debt due to His Majesty.

No new Fees.

Provided alwaies, and be it Enacted by the Authority aforesaid, that in case any part of the moneys which shall be raised by vertue of this Act, or any other Act or Acts of this present Parliament, shall be assigned or issued for and towards the Victualling of His Majesties Navy, the same shall be subject to no charge, nor shall any manner of fee, or deduction be taken or made out of the same to any other Officer or person whatsoever, save only the usual fees in such cases due and payable to the Tellers, and other His Majesties Officers of the Exchequer.

No one exem-  
pted from this  
Tax.

And be it further Enacted by the Authority aforesaid, that no Letters Patents granted by the Kings Majesty, or any of His Royal Progenitors, or to be granted by His Majesty to any person or persons, Cities, Boroughs, or Towns Corporate within this Realm, of any manner of Liberties, Priviledges, or Exemptions from Subsidies, Tolls, Taxes, Assessments, or Aids, shall be construed or taken to exempt any person or persons, City, Borough, or Town Corporate, or any the Inhabitants of the same from the burthen and charge of any sum or sums of money granted by this Act, or any other Act of this Parliament now in force, to the aid and supply of His Majesty in the present War. And all Non obstantes in any such Letters Patents made, or to be made in bar of any Act or Acts of Parliament, for the Supply or Assistance of His Majesty, are hereby declared to be void and of none effect; Any such Letters Patents, Grants or Charters, or any clause of Non obstante, or other matter or thing therein contained, or any Law or Statute to the contrary notwithstanding.

FINIS.



AN ALPHABETICAL  
**T A B L E**  
Of the Matters in the  
**S T A T U T E S**  
Contained in both Parts of this  
**B O O K.**

Note that great C. signifies *Car.* and little c. *cap.*

**A**

*Abatement*

**O**F Writs of Error in the Exchequer, remedied. 16 C. 2. c. 2.  
Death after Verdict not to abate actions. 17 C. 2. c. 8.

*Accompts — Accomptants*

To the King for publique monies received for the late Usurpers. 13 C. 2. c. 3.  
For Prize-Goods. 14 C. 2. c. 14. 16 & 17 C. 2. c. 6.

*Administrators*

*De bonis non, &c.* enabled to have Execution of Judgments obtained by Executors. 17 C. 2. c. 8.

*Addreses. See Petition.*

*Admiral*

To Impress Seamen — 17 C. 2. c. 5.  
Lord High Admirals Court at Sea. 13 C. 2. c. 9  
The Court of Admiralty may punish those who deliver up Merchants Ships to Pirates, and redress the owners of the Goods. 16 C. 2. c. 6.

*Ad quod dampnum*

In what case used. 14 C. 2. c. 6.

*Advowsons*

And Rectories restored to the true owners. 14 C. 2. c. 25.

*Aliens*

May dress Flax, Hemp, Spin and Weave Linen. 15 C. 2. c. 15. and Tapestry hangings. None may be Merchants or Factors. 12 C. 2. c. 18.

*Ammunition.*

Punishment of imbezeling the Kings Stores and Ammunition. 19 C. 2. c. 12.  
Gunpowder and Saltpeter made in *England*, and Imported. 17 C. 1. c. 21.

*Apprentices*

To Souldiers made free. 12 C. 2. c. 15:

*Army. See Souldiers.*

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Persons arrested how bailable. 13 C. 2. c. 2.  
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The 39 Articles by whom to be subscribed. 14 C. 2. c. 4.

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Of several persons as well dead as alive, for the murder of K. *Charles the I.* 12 C. 2. c. 30.  
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Avowants for rents may recover the value of the Cattle distrained, and distrain again. 17 C. 2. c. 7.  
That Act extended to *Wales* and Counties Palatine. 19 C. 2. c. 10.

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*Bayes. See Cloth.*

*Bayle*

**U**Pon Writs of Error, else no *Superfedeas*. 16, 17 C. 2. c. 8.  
Upon Arrests by mean Procefs. 13 C. 2. c. 2  
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**B b**

*Bank*



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14 C. 2. c. 33.

That Act continued. 16 C. 2. c. 8. 16, 17  
C. 2. c. 7.

One of all Books printed to be given to each  
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What Books may be Imported, and who  
may Import them—14 C. 2. c. 33.

None to print a Book or Paper, in which a  
nother hath propriety. 14 C. 2. c. 33.

*Bridges*  
Repaired at a publique charge. 14 C. 2. c. 6.

*Buryings.*  
All persons to be buried in Woollen only.  
18 C. 2. c. 4.

*Butter.*  
The packing and potting of Butter, and the  
marks of the Pots and Firkins. 14 C. 2.  
c. 26.

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*Captain. See Souldiers.*  
*Carriages.*

**F**Or the King in his Progreſs. 13 C. 2.  
c. 8.

*Cattle*  
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c. 2.

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None to remove Indictments for not re-  
pairing High waies, without ſecurity to  
pay damages and coſts. 14 C. 2. c. 6.

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A Tax of 2 s. per annum for every Chimney.  
14 C. 2. c. 10.

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12 C. 2. c. 19.

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